Gc
975.5
V78co
v.1
1676090

M. L.

REYNOLDS HISTORICAL
GENEALOGY COLLECTION

GC

ALLEN COUNTY PUBLIC LIBRARY
3 1833 02374 8319

Digitized by the Internet Archive
in 2010 with funding from
Allen County Public Library Genealogy Center

http://www.archive.org/details/legislativejourn01virg

Legislative Journals of the Council of Colonial Virginia

LEGISLATIVE JOURNALS of the COUNCIL of COLONIAL VIRGINIA

IN THREE VOLUMES

Edited by
H. R. McILWAINE

VOLUME I

RICHMOND, Virginia
MCMXVIII

LEGISLATIVE

JOURNALS

of the

COUNCIL

of

COLONIAL VIRGINIA

1676090

LIBRARY BOARD
VIRGINIA STATE LIBRARY

ARMISTEAD C. GORDON, *Chairman*
R. T. W. DUKE, Jr.
LYON G. TYLER
EGBERT G. LEIGH, Jr.
EDMOND PENDLETON

The Journals of the Council of *Virginia* as a legiſlative body appear in print now for the firſt time, and they will immediately take their place as a ſource of *Virginia* hiſtory of equal value, page for page, with their companion Journals of the Houſe of Burgeſſes. Many points left obſcure by thoſe Journals have additional light ſhed upon them in theſe.

In one notable reſpect the Council Journals are, not infrequently, more informative than thoſe of the Houſe of Burgeſſes, ſince it was the practice for councillors, if they thought the matter of ſufficient importance, to have, when they were not in favor of the paſſage of bills which nevertheleſs gained a ſufficient number of votes, their objections ſpread upon the minutes. Theſe objections give us a much clearer idea than we ſhould otherwiſe have of the arguments uſed for and againſt the paſſage of certain meaſures.

In theory, bills, except thoſe in reference to money matters, could originate in either houſe, but in practice the great majority of bills actually originated in the Houſe of Burgeſſes. The Council came to be looked upon as a body for the examination and emendation of bills and not one for their origination. Hence the work of the ſecond body in connection with the paſſage of laws was much leſs onerous than that of the other and its Journals much leſs voluminous. For this reaſon, and for the additional reaſon that the ſpeeches of the governors to the General Aſſembly as a whole and to the Houſe of Burgeſſes and the communications from the Houſe to the governors, with thoſe paſſing between the two chambers, all of which have already been printed in the "Journals of the Houſe of Burgeſſes of *Virginia*," are not printed again in theſe Council Journals, only references being given, it is poſſible to print the entire ſeries of Journals in three large volumes, whereas the Houſe Journals, with the General Index, required thirteen.

The general ſtyle of printing uſed in the two ſets of volumes is the ſame, the only difference appearing in the method of printing the names of members of the Council when compared with that of printing the names of members of the ſtanding committees of the Houſe.[1] Whereas the names of the ſtanding committees of the Houſe were printed in columns, in this way being preſerved the ſtyle of the original printed Journals for the years for which printed Journals exiſt and of the manuſcript Journals where the printed Journals fail, the names of the members of the Council are printed in lines. The object of this ſlight departure from the original ſtyle is, of courſe, merely to ſave ſpace. The contractions and ſpecial characters uſed in the "Journals of the Houſe of Burgeſſes of *Virginia*" are uſed in this ſet of "Legiſlative Journals of the Council of Colonial *Virginia*" alſo, and are as follows:

c̄, indicating ti (menc̄oned, for example, for mentioned)

ꝉ, indicating -leman or -lemen (gentꝉ, standing for gentleman or gentlemen, usually the latter)

p̄, indicating pre (p̄vent, for prevent)

q_3, indicating que (annoq$_3$, for annoque)

m̃, indicating mm (sum̃on, for summon).

In general, a curve over a letter indicates the omiſſion of a letter or letters either preceding or following the marked letter.

The text of the Journals has in the great majority of inſtances been ſecured from the copies originally ſent to *England* and now depoſited in the Public Record Office, *London*, the original Journals of the Council now in exiſtence in *Virginia*, or contemporary copies, being very few in number and ſome of these being badly mutilated. Some, however, have been found which it has been poſſible to uſe as ſources of the text. In at leaſt one inſtance—ſeſſion of *July* 11-16, 1746—the original Journal has been found in *Virginia* and no copy in the Public Record Office. In a note at the beginning of each Journal is given the ſource of the text.

[1] The Council had no ſtanding committees.

The following table gives a liſt of the ſeſſions for which there ought to be copies of the legiſlative Journals of the Council in exiſtence. The letter "V" indicates that the Journal, either the original or an early copy—ſometimes much mutilated, however—is in the *Virginia* State Library, the letter "L" indicates that a copy is in the Public Record Office in *London*, and the letter "N" indicates that no Journal for that ſeſſion has been found. The italics ſhow the ſeſſions for which the Journals in the *Virginia* State Library have been uſed as the ſource of the text.

1680, June 8 – July 7. (L)
1682, April 18 – 25. (L)
1682, November 10 – December 22. (L)
1684, April 16 – May 24. (N)
1685, November 3 – December 13. (L)
1686, October 20 – November 15. (L)
1688, April 24 – May 12. (L)
1691, April 17 – May 22. (L)
1692, April 1 – 30. (L)
1692/3, March 2 – April 3, 1693. (L)
1693, October 10 – November 18. (L)
1695, April 18 – May 18. (L)
1696, April 24 – May 1. (L)
1696, [*]Sept. 24 – Nov. 3, 1697. (L)
1698, September 28 – October 6. (L)
1699, April 27 – June 8. (L)
1700, December 5 – 27. (L)
1701, Auguſt 6 – October 2. (L)
1702, May 13 – 29. (LV)
1702, June 18 – 25. (L)
1702, Auguſt 14 – 28. (LV)
1702/3, March 19 – April 10, 1703. (L)
1704, April 20. (LV)
1704, April 21 – May 12. (L)
1705, April 18 – May 12. (L)
1705, [*]October 23 – June 22, 1706. (LV)
1710, October 25 – December 9. (LV)
1711, [*]Nov. 7 – Jan. 31, 1711/12. (LV)
1712, October 22 – November 29. (L)
1713, November 5 – December 12. (L)
1714, November 16 – December 24. (LV)
1715, Auguſt 3 – September 7. (LV)
1718, [*]April 23 – July 10. (L)
1718, November 11 – December 1. (L)
1720, November 2 – December 23. (LV)
1722, May 9 – June 7. (LV)
1723, May 9 – June 20. (L)
1726, May 12 – June 7. (L)
1727/8, February 1 – March 30, 1728. (L)
1730, May 21 – July 9. (LV)
1732, May 18 – July 1. (L)
1734, Auguſt 22 – October 4. (L)
1736, Auguſt 5 – September 23. (L)
1738, November 1 – December 21. (L)
1740, May 22 – June 17. (L)
1740, Auguſt 21 – 28. (L)
1742, May 6 – June 19. (LV)
1744, September 4 – October 25. (LV)
1745/6, February 20 – April 12, 1746. (LV)
1746, July 11 – 16. (V)
1747, March 30 – April 18. (LV)
1748, [*]October 27 – May 11, 1749. (LV)
1752 (new ſtyle), Feb. 27 – Apr. 20. (LV)
1753, November 1 – December 19. (LV)
1754, February 14 – 23. (N)
1754, Auguſt 22 – September 5. (L)
1754, October 17 – November 2. (N)
1755, May 1 – July 9. (L)
1755, Auguſt 5 – 23. (N)
1755, October 27 – November 8. (L)
1756, March 25 – May 5. (N)
1756, September 20 – 28. (N)
1757, April 14 – June 8. (L)
1758, March 30 – April 12. (L)
1758, September 14 – October 12. (L)
1758, November 9 – 11. (L)
1759, February 22 – April 14. (L)
1759, November 1 – 21. (L)
1760, March 4 – 11. (L)
1760, May 19 – 24. (N)
1760, [*]October 6 – April 10, 1761. (L)
1761, November 3 – 14. (L)
1762, January 14 – 21. (L)
1762, March 30 – April 7. (L)
1762, November 2 – December 23. (L)
1763, May 19 – 31. (L)
1764, January 12 – 21. (L)
1764, [*]October 30 – June 1, 1765. (L)
1766, [*]November 6 – April 11, 1767. (L)
1768, March 31 – April 16. (L)
1769, May 8 – 17. (L)
1769, [*]November 7 – June 28, 1770. (L)
1771, July 11 – 20. (L)
1772, February 10 – April 11. (L)
1773, March 4 – 15. (L)
1774, May 5 – 26. (N)
1775, June 1 – 24. (N)

[*] In this ſeſſion there was a very long receſs.

In the Appendix are printed ſuch papers emanating from the Council before the year 1680 or from the General Aſſembly as a whole as have not already been printed in the "Journals of the Houſe of Burgeſſes of *Virginia*"—that is, ſuch of them as have been diſcovered—and the very intereſting Journal of the Committee for the Reviſal of the Laws appointed in 1699.

Biennial appropriations have been made by the General Aſſembly of *Virginia* for the publication of the Journals of the Houſe of Burgeſſes and of the Journals of the Council. The appropriation, however, made by the General Aſſembly at the 1916 ſeſſion for the publication of the Journals of the Council was ſufficient for the publication of only two volumes, and in order to uſe this appropriation it is neceſſary that the two volumes be iſſued and paid for before the cloſe of the appropriation period, that is, before the firſt of *March*, 1918. Hence the firſt two volumes of the ſet are being iſſued ſome time before the third, which cannot be printed till after the cloſe of the 1918 ſeſſion of the General Aſſembly. At that ſeſſion an appropriation for printing it will, it is expected, be made.

A General Index to the contents of the three volumes will be found at the cloſe.

H. R. McILWAINE.

Richmond, Va., February 5, 1918.

Some of the Proceedings of the Council at a General Aſſembly held at *James City* from the 8th day of *June*, 1680, to the 7th of *July*.

Some of the Proceedings of the Council at a General Aſſembly held at *James City* from the 8th day of *June*, 1680, to the 7th of *July*.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1405, pp. 59-94.]

JOURNAL
OF THE
COUNCIL

[Note.—The firſt Journal of the Council of Virginia acting as a branch of the General Aſſembly ſent to England after the iſſuance of the order of the 14th of January, 1679/80, by the Committee of the Privy Council for Trade and Foreign Plantations that copies of the Journals of the Aſſembly ſhould in future be furniſhed the home government, was that of the ſeſſion beginning the 8th of June, 1680, and ending the 7th of July. It is probable that the order did not reach Virginia till this ſeſſion was well under weigh, and that in this fact is to be found an explanation of the meagreneſs of the Journal. For much of the ſeſſion it conſiſts, as will be ſeen, merely of the ſpeeches of the governor made either to the General Aſſembly as a whole or to the Houſe of Burgeſſes and of communications between the governor and the Houſe of Burgeſſes or between the two branches of the General Aſſembly. Such of theſe ſpeeches and communications as have already been printed in the "Journals of the Houſe of Burgeſſes" are not printed again, only references to the "Journals of the Houſe of Burgeſſes" being given. For the reſt of the ſeſſion the material, though of great interest and hiſtorical value from many points of view, can certainly not be ſaid to conſtitute an adequate journal of the proceedings.

[*June* 9, 1680.]

The Gov^rs Speech to ye Aſſembly

IT IS now almoſt three yeares Since it firſt pleaſed his Ma^ty . . . . . [See J. of H. of B., 1659/60-1693, pp. 147-149.]

Mr Speaker *& you Gentlemen of ye houſe of Burgeſſes.*

Yo^r Yeſterdayes Vote is the occation of my Sending to you now . . . . . [See J. of H. of B., pp. 130-1.]

June 10th 1680.

To his Excell^cy of Virg^a
By the Houſe of Burgeſſes.

THIS Houſe returnes his Lord^p their humble thankes for thoſe great demonſtrations of his Excell^cy's Care for the good of this Country, whilſt his Ex^cy remained in *England*, and alſo for thoſe noble propoſalls his Ex^cy was pleaſed to make in his late ſpeech & charge to the hovſe of Burgeſſes expreſſing his Lo^p's free good & great Intentions for the future good of this his Maj^tys Colony and the ſeverall Inhabitants thereof: And this Houſe humbly pray his Ex^cy will pleaſe to favour them with a Copy of the heads of that his Lord^pp's moſt noble ſpeech & charge, to the end they may the better know wth all ready ſubmiſſion to obſerue and purſue y^e ſame, and to ye end the ſame may be imparted in their reſpectiue Counties, wch they humbly ſuppoſe will be for the generall good & ſatisfaction of ye Inhab^ts thereof.

Teſt: R B Cl Aſs:

By ye Houſe of Burgeſſes.
To his Ex^cy of Virg^a

The Houſe finding M^r *Jno Langſton* not capable by Law, and his Maj^ts exception to ſerue as Burgeſs for *New Kent* County, as alſo that the County of *Lancaſter* haue made choice

choice of Col Sr *Leg^r Codd* for their Burgeſs, who being alſo choſen for *Northumberland* County hath declared to ſerue for that County, Do humbly pray y^r Ex^cy will pleaſe to iſſue forth a Writt for the Election of one Burgeſs for *New Kent* County and one Writ for ye Election for one Burgeſs for *Lancaſter* County to the end they may haue y^ir Repreſentatiues in this p^rſent generall Aſſembly

Teſt R: B Cl Aſs:

June 11th 1680

To his Ex^cy of Virg^a

By the Houſe of Burgeſſes.

THIS Houſe by thoſe their Memb^rs Bearers hereof humbly pray to know y^r Excell^cys Pleaſure concerning the ſending forth a Committee for tryall of private Cauſes—this Houſe ſuppoſeing it will be no hinderance of time

Teſt R: B Cl Aſs:

To his Ex^cy Thomas *L^d* Culpepper *Baron of* Thoreſway *his Maj^ties L^t and Govr Gen^ll of* Virginia.

The Houſe of Burgeſſes moſt humbly p^rſent, That for many years . . . . . [See J. of H. of B., p. 144.]

At a Councill held at *James City* 9th *June* 1680. . . . [See J. of H. of B., p. 144.]

June 16th 1680

To his Excellency

By the Houſe of Burgeſſes

VPON the Petition of Coll: *Tho Clayborn* . . . . [See J. of H. of B., p. 124.]

By his Excell^cy

Vpon the Addreſs of the Houſe of Burgeſſes deſireing his Excell^cy's opinion vpon the petition of Lt Coll *Tho: Claiborne* of ſtray Horſes its anſwered haveing examined ye Act of Aſſembly therein directing, it appeares publication of ſuch Stray horſes are required to be made by rendring Account thereof to the Secretaries office to ye intent notice may be given thereof to all County Courts, by wch meanes the true Owners of the horſes might make their juſt Claimes, wch not being p̄formed, its conceived the Intent of the ſaid Act hath not been purſued

Signed by his Ex^cy's Command

Hen: Hartwell Cl Gen^ll Aſſembly.

June 18th 1680.

REPORT on the petition of Lt Coll *Cad Jones* to the Houſe of Burgeſſes 18th *June* 1680.

The Sufferings of this Petitioner are moſt apparent and his reſoluedneſs to abide his plantation ag^r all the attempts and Conſpiracies of Our Indian Enemies for many yeares, hath (as may well be ſuppoſed) maintained us in the ſeatment of the vpper parts of *Rappahanock* for many miles, This petition and all its Circumſtances are therefore referred to the moſt ſerious Conſideracon of the Houſe of Burgeſſes.

To his Excellency Tho *Lord* Culpepper *Baron of* Thoreſway, *his Maj^ties L^t & Governour Generall of* Virg^a *and to the Honble Councill.*

The Houſe of Burgeſſes Preſent. That in 3 ſeverall Votes . . . . . [See J. of H. of B., p. 126.]

June

June 19

By his Excellency

UPON the receipt . . . . . [See J. of H. of B., p. 127.]

To his Excellency

By the Houſe of Burgeſſes

Reſolved by the whole houſe . . . . . [See J. of H. of B., p. 127.]

June 23

By the Houſe of Burgeſſes

THE queſtion put whether from . . . . . [See J. of H. of B., p. 128.]

June 24

To his Excellency

THIS Houſe humbly ſignify . . . . . [See J. of H. of B., p. 130.]

June 15 [25th]

By the houſe of Burgeſſes

RESOLVED that an humble addreſs be made to his Excellencie . . . [See J. of H. of B., p. 131.]

His Excellcy ſent a Meſſage to the houſe of Burgeſſes, that he appointed the ſame gentn of the Councell that were of the former Conference to be of this Conference, to be held at Mr *Sherwoods* houſe at three of the Clock in the afternoon.

To his Excellency and the Honbl Councill

The Houſe of Burgeſſes humbly propoſe

That theſe following proviſoes . . . . . [See J. of H. of B., pp. 132-133.]

June 26

To his Excellency

THE Houſe of Burgeſſes humbly preſent

That according to the propoſitions . . . . . [See J. of H. of B., 134.]

June 28th 1680

THE Councill haue conſidered the houſe of Burgeſſes propoſitions for proviſoes to his Majtes Bill for ye Impoſition of 2s ℔ hogſhd and do vnanimouſly conſent to the ſame

To ye Houſe of Burgeſſes. *H. H.* Cl. Con:

His Majtes Act intituled *an Act of free & generall pardon* &ca accepted by his Excellency & ye Councill vnanimouſly.

His Majtes Act intituled *an Act for Naturalization* paſt by his Excellcy and ye Councill vnanimouſly.

His

His Majtie Act intituled *an Act for the Impoſition of 2s ℔ hhd* paſt by his Excellcy and Councill vnanimouſly.

As to ye propoſalls of *New Kent* County.

The Report of the Committee is agreed to by his Excellency and the Councill.

As to the Propoſalls of the Commtee about Garriſons his Excellcy and the Councill approues the keeping vp of the Garriſons wth the number of twenty men, and likewiſe the Appointment of Vndertakers, and its further propoſed if there be emergent occaſions for ſending more Soldiers to the Garriſons how ſuch Soldiers ſhall be ſupplyed wth Proviſions.

As to the propoſall of reſtraining the makeing and packing Ground Leaues ſeconds & ſlips his Excellency [and the Council] are of the opinion that to declare thoſe Lengths and Breadhts according to the report of the Commtee to paſs as Merchantable Tobacco is to injoine the receiveing ſuch Tobacco, which is of no value, and ſo do not agree.

To the propoſition of *Warwick* County his Excellcy and the Councill agrees to the Report of the Commtee and that application be made to his Majeſty that wee may haue Liberty to advance 4d on the ſhilling vpon his Majtie Coin, and the like proportions on all forreign Coines, the Impoſition of two ſhille ℔ hhd, the penny ℔ li. Cuſtomes, Caſtle Duties and head money to be paid as formerly in mony *ſterl.*

To the propoſition of *Eliz: City* his Excellcy and the Councill agrees to the report of the Comtee

To ye propoſition of *Gloſter* County.

His Excellcy & ye Councill agrees to the report of ye Commtee

To the propoſition of *Iſle* of *Wight* County.

His Excellcy and the Councill agrees to the Report of the Commtee.

To the 7th propoſition of *York* County

His Excellcy and the Councill agrees wth ye Report of the Commtee, but there being no directions about the weight of each Caske that it be provided that if the Receiver of Tobacco do not agree to the Tare of the hhds the Tobacco be vncaſed, and the hhds weighed, and allowance to be made accordingly.

To the propoſall of *York* County about Negro Children his Excellency and the Councill agrees to the report of the Committee, and that all *Engliſh* Children imported be tithable at fourteen years of age and no ſooner.

Vpon the propoſition of *York* County abt his Majtie Soldiers ſent to the ffalls of *James* River for pay for their proviſions whilſt there, his Excellency and the Councill are of opinion, that if his Majtie Soldrs committed no miſdemeanors and were not extravigant in proviſion that they ought not to pay for their proviſions, but if they were exceſſive in the expence of proviſions allowance ought to be made.

To the 3d Propoſition of *York* County about quartering ſoldiers all care poſſible will in due time be taken by his Excellency, and the propoſition for the Governor and Councill to lay a Levy anſwered in *Lancaſter* Grievances.

The Reports of the Commtee to the Reſt of *York* County Propoſitions are agreed to by his Excellency and ye Councill.

The Reports of the Commtee to the propoſitions of *Northumberland* County are by his Excellcy and the Councill agreed to.

Vpon the ſecond part of the firſt propoſition of *Lancaſter* and other Counties propoſitions concerning ye Governr and Councill laying a publique Levy his Excellency and the Councill are vnanimouſly of the opinion that it would be for the eaſe of the Charge of the Country according to the direction of a former Act in that caſe made and provided, Account thereof be given to the next Generall Aſſembly.

The Reports of the Commtee to the other propoſitions of the County of *Lancaſter* are by his Excellency and the Councill agreed to.

To the 1, 2 & 3 propoſitions of *Stafford* County about the Commander of the Garriſon in that County neglecting his Service: His Excellency and the Councill are of opinion that if any Commander hath neglected his Duty his pay not onely to be kept from him, but that ſuch Commandr be puniſhed according to Law.

The

The Reports of the Commᵗᵉᵉ to the reſt of yᵉ propoſitions of *Stafford* County, and agreed to by his Excellᶜʸ and the Councill

As to yᵉ propoſition of *Henrico* County.

The Vote of the Houſe agreed to by his Exᶜʸ and the Councill Guns, Piſtolls, powder & ſhot onely excepted vnder yᵉ penalties of the former Lawes.

The Reports of the Commᵗᵉᵉ to the propoſitions of *Rappak* County are agreed to by his Excellency and the Councill.

The Reports of the Commᵗᵉᵉ to yᵉ propoſitions of *Lower Norfolk* County are agreed to by his Exᶜʸ and the Councill.

The Committees Reports to yᵉ oppoſition of *Charles City* County His Excellᶜʸ and yᵉ Councill agrees too.

The Commᵗᵉᵉˢ Report to the propoſitions of *Nanzemond* County His Excellᶜʸ & the Councill agreed to.

The Commᵗᵉᵉˢ Report to the petition of yᵉ Inhabitants of *Pamunky* is agreed to by his Exᶜʸ & Councill.

The Commᵗᵉᵉˢ Report to the propoſition of *Henrico* County is by his Excellᶜʸ and yᵉ Councill agreed to.

The Commᵗᵉᵉˢ Report to the propoſition of *Accomack* County is by his Excellᶜʸ and the Councill agreed to.

The Commᵗᵉᵉˢ Report to the propoſition of *Northampton* County is by his Excellency & yᵉ Councill agreed to.

The Commᵗᵉᵉˢ Report to the ꝑpoſitions of *Surrey* County are by his Excellency and yᵉ Councill agreed to.

The Report of the Comᵗᵉᵉ on the propoſition for clearing *Pamunkey* River agreed to by his Exᶜʸ And yᵉ Councill but the ſame to be made generall for the Clearing all Rivers & navigable Creekes.

The Report of the Commᵗᵉᵉ vpon Coll *Jnº Pages* Petition being conſidered His Excellᶜʸ and the Councill do find that the Report, of the Commᵗᵉᵉ is againſt the Act concerning Indian Lands, and therefore do not agree to the ſame.

The Report of the Commᵗᵉᵉ ſetting forth yᵉ State of the Country The Councill do concurr that the ſame is a true and full ſtate of the Country.

The Report of the Commᵗᵉᵉ vpon the petition of the Inhabitᵗˢ of *Black water & Currotuck.*

Its the opinion of the Councill that his Excellᶜʸ be deſired to order and require the High Sheriff of *Lower Norfolk* County to demand and collect Rents and Levies of all the Inhabitᵗˢ of *Blackwater & Currotuck* for Lands that they hold by Patent from this Colony, and if the Goverment of *Carolina* ſhall diſturb them for the payment of ſuch dues, that the ſheriffe of *Lower Norfolk* be authorized and Impowered to defend them in the paymᵗ of ſuch Rent juſtly due to this Colony, and likewiſe that his Excellᶜʸ be deſired to write to the Goverᵐᵗ of *Carolina* to the Intent the Inhabitᵗˢ of *Blackwater & Currotuck* may not be diſturbed.

As to the propoſitions of the Commᵗᵉᵉ about *dedimus* and Executions.

His Excellᶜʸ & the Councill will take care therein.

June 29th 1680.

By his Excellᶜʸ

THAT being ready to ſerue yʳ Country & yᵉ houſe of Burgeſſes the beſt I can in the buſines of the Ceſſation according to their deſire for the better effecting thereof I would be glad to receiue their reaſons to offer to his Majᵗʸ & the Councill

By his Excellᶜʸˢ order

Hen: Hartwell Cl Gen: Aſs:

To yᵉ Houſe of Burgeſſes.

June

June 30th 1680.

Councills Amendmts on the Commtees Reports of Claimes.

Eliz City County.

IT IS the opinion of the Councill that Coll *Morifon* ought to be allowed tenn pounds *Sterl* for his Claime

Northumberland County.

The Webb and Rigging of a Boat 2000 objected againſt:

Mr *Shapleigh* for Sloop hire and proviſions..... 6000 objected againſt.

Stafford County

*Taylor*s pay objected agſt Information being made that he hath neglected the Countries Service.

Quigley for powder and Shot..... 1155 objected againſt

Weſtmoreland County.

Sloop hire..... 7400 objected againſt.

Mr *Quegley*s account.....14000 objected againſt.

Henrico County

Coll *Bird*s Account & diſburſments objected againſt.

Charles Citty

Coll *Place* for Armes thought fit to be allowed as well as ſeverall others.

Surry County.

*Buſby*s Accts objected againſt, and for 6000 from *Surry* Court.

Nanzemund.

Coll *Potters* Claime allowed provided it doth appear by the Maſters, Owners, or Huſbands of the Ships that brought in the Gunns, that Coll *Potters* paid the monyes demanded.

Yorke.

Madam *Diggs* Claime for meal being to ſeverall of the Councill known to be juſtly due, and no allowance made, do think it ought to be allowed.

James Citty County.

Mr *Sanderſon* conceived to be allowed too little for himſelf and ſeverall Officers.

Its the opinion of the Councill that Mr *Sherwood & Rably* ought to be paid for the Reparations of their houſes beſides the allowance made for Rent, the houſes being very much impaired.

Its the opinion of the Councill that the Agents ought to be allowed 12000lb of Tobacco & Caske each in Lieu of the 30l apeece allowed by the houſe of Burgeſſes.

The Petition of Coll *Leroy Griffin* for entertaining ye honble Sr *Hen: Chicheley*, ſeverall Gentn and a party of horſe near a fortnight, and Rum for the Soldiers being conſidered, Its the opinion of the Councill that the Officers and Soldiers ought to pay for their Entertainment and the Rum, and that 5000lb Tobacco be allowed for the Entertainment of Sr *Hen: Chicheley*, and ſevll Gentl. wth him.

In Conſideration of the great Loſſes and Sufferings of Coll *Cad: Jones* in the ſervice of the Country for defending the ffrontiers, and keeping, and ſecureing at leaſt thirty miles of *Rappahanock* River, thought vnreaſonable to be allowed 15000l of Tobacco and Caske.

Gloſter.

Quere what Bookes Mr *Beverly* is allowed for, if Acts, then one to be for the Secretaries Office.

Quere why Mr *Bird* 50160, in *Gloſter*, when he liues in *Henrico*, and to know the Particulers of the Account.

*Nelſon*s Account objected againſt.

The order of the Houſe of Burgeſſes about Coll *Bacon*s Cares the Councill are of opinion that he ought to be paid 2000lb of Tobacco by the publique.

Its

Its the opinion of the Councill that *Hen: Hartwell* Cl of Genᴵˡ Aſſemb. ought to be allowed 15000ˡᵇˢ of Tobacco & Caske, they well knowing that in the year is more then any other Cl on the publique not accounting any thing of the generall Court.

By his Excellᶜʸ

I conceiue myſelf and the Councill . . . . . [See J. of H. of B., p. 140.]

July 2ᵈ 1680.

To his Excellency
By the Houſe of Burgeſſes.

THIS Houſe ſignify to yoʳ Exᶜʸ . . . . . [See J. of H. of B., p. 139.]

Amendmᵗˢ by his Exᶜʸ & yᵉ Councill on Act for Towns

folio 1ˢᵗ

in yᵉ 18ᵗʰ line after the word the Inter line

(ffeoffees of the

5 folio.

In the 11ᵗʰ line inſtead of the words next after this preſent year, inſert in their place from and after the firſt day of *January* next enſueing.

6

In the 5ᵗʰ line after the word Colony, add, from and after the 29ᵗʰ day of *September* wᶜʰ ſhall be in the year 1681 inſtead of the words next after this preſent year.

8

In the 11ᵗʰ Line after the word Act the party that remoues, or tranſports ſuch Tobaccoes haveing firſt made Oath before a Magiſtrate that he is realy and *bona fide* tranſporting the ſame to one of the ſᵈ Warehouſes, inſtead of theſe words, Removeall, or Tranſportacõn of ſuch Tobᵒ towards the ſaid Warehouſes at the time of ſuch Seizure Attachments, and appearing ſo to be vpon Oath.

9

The firſt Line after yᵉ word Law all that Clauſe to be left out.

ffrom the beginning of the Act for a Town Liberty to carry hides being the end of a Leafe, agreed to.

Agreed to the Clauſe for building Storehouſes at Landings.

The Clauſe for takeing ſloopes or Boates not agreed to.

The Clauſe for 100 Acres of Land to be purchaſed agreed and for every one that will build a Warehouſe and a Dwelling houſe agreed to. Surveyoʳˢ ffees agreed to.

To that Clauſe for the Encouragemᵗ of Tobacco, no Execution to be layd when the Tobacco is brought to the places, but not before.

Tradeſmen to be free from Arreſts & Executions within the places, and further added to be free from publique Levies, fiue yeare, they not planting Tobacco.

Paymᵗ of Levyes at the ſeverall places appointed not agreed to.

ffor the Law to be in force as to laying out of the Land & building within ſix months after the publication and the time of forfeiture for ſhipping from other places then the places appointed, to begin from the firſt of *January* 1682.

The time for opening the Trade & the Reſtriction agreed to with the proviſo.

An humbie Application to his Majᵗʸ for a Ceſſation in the year 1681 agreed to.

A Supplication for the 1ᵈ ℔ᴵˡ agreed to.

The half penny not agreed to.

A forfeiture for the 1ᵈ ℔ᴵˡ agreed to.

ffforfeiture on Collectors agreed to.

Bill about Lawes agreed to.

As to the Act intituled *an Act Phibiting the Tranſportation of* Engliſh *monyes & forreigne Coines &ᶜᵃ and ſetting a valuation thereon.* His Exᶜʸ and yᵉ Councill do perſiſt in their former opinions that the beſt way of doing of it, is by addreſs to his Majᵗʸ.

Amendmᵗ

Amendm[t] for ſending Sold[rs] to Garriſons. In the 27 Line after the word other, added, togeather with horſes and furniture.

In the 28 Line after the word Bedding, to be carryed to ſuch Garriſons at the Charge of the Country.

Provided alwayes and his Excellency is deſired if he ſee Cauſe to draw off ten of the Sold[rs] from each Garriſon for the eaſe of the Country ſupplying the ſame with Ten of his Maj[ts] Sold[rs]

July 3 1680

By the Houſe of Burgeſſes

IT IS Signified . . . . . [See J. of H. of B., p. 140.]

By His Excellency

Altho' I think *Henry Hartwell* . . . . . [See J. of H. of B., pp. 140-141.]

To His Excellency

By the Houſe of Burgeſſes

This houſe in all humility . . . . . [See J. of H. of B., p. 141.]

July 5. 1680

By his Excellency

COLL *Phillip Ludwell* and Major *Richard Lee* . . . . . [See J. of H. of B., p. 142.]

6th *July* 1680.

By his Excellency.

VPON the offer of the houſe of Burgeſſes that M[r] *Lee* might haue the houſe according to the Tenor of his Petition, its anſwered that M[r] Auditor *Bacon* vpon M[r] *Quigley*s petitioning for the ſaid houſes, moved for them in[t] the like nature, and M[r] *Quigley* haveing ſince declined the ſame, Its moſt fit M[r] Auditor *Bacon* ſhould haue his deſire in the ſaid Houſes, & M[r] *Lee* the other Houſe.

7th *July* 1680.

HIS Excellency adjourned y[e] Aſſembly to the fifteenth day of *ffebruary* next.

Hen: Hartwell

Cl Gen[ll] Aſs:

11-12

ATT A

GENERAL ASSEMBLY

held Att

James Citty Aprill 18th: 1682.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1405, pp. 101-111.]

Att A General Aſſembly

held Att *James Citty Aprill* 18th 1682.

Die Martis 18mo Aprilis 1682

THE Rt Honble Lt Gouernr and the Councill meet, according to the tenor of the writts, in order to hold An Aſſembly.

The Lt Gouernr with the Councill Adjournes to the beat of the third Drum tomorrow.

Die Mercuris 19mo Aprilis: Poſt Meridiem

COLL *Wm: Bird*, Capt *Richard Whittaker*, Mr *Joſe Speir* and Mr *Thomas Taberrer* waite upon the Gouernr and requeſt him to appoint ſome of the Councell to Adminiſter the Oaths *Viz*, of Allegiance, Supremacy and of a Burgeſs to the new elected members

The Lt Gouernr deſires the Gentlemen att their return to acquaint Mr *Speaker*, he is deſirous to ſpeake with him

Mr *Speaker* with ſome members of the houſe of Burgeſſes and their Clerk attend the Gouernr

The Lt Governr acquaints Mr *Speaker*, that by commands lately recd, from his moſt Sacred Majeſty, he is not to ſuffer or permitt any Aſſembly to be called or ſitt, untill the tenth of *Nouember* and that he will call the houſe before him on the morrow, and acquaint them with his Majeſties commands, ſoe that there was no occaſion of ſwearing the new elected members.

Mr *Speaker* with his attendance returnes

Die Jouis 20mo Aprilis

MAJOR *Geo: Morris* Capt *Richard Whitaker*, Mr *James Biſſe* and Mr *Hen: Mills* waite upon the Lt Gouernr and preſent to him An Addreſs from the Houſe, for his continuance of this preſent Aſſembly

The Addreſs is as foll

To the Rt Honble Sr Hen: Chicheley *Knt his moſt Sacred Majeſties Deputy Gouernr and to the Honble Councell of State*

The humble ſupplication of his Majeſties moſt humble diſtreſſed and Loyall Subjects of his Majeſties Countrey of Virginia

In all humility preſent

Rt Honble

That wee our moſt Dread and moſt gracious Soueraignes moſt humble and loyall Subjects . . . . . [See J. of H. of B., 1659/60-93, pp. 158-159.]

The Addreſs being read and debated, It was ordered that *Edward Chilton* Cl: of the Councell ſhould goe to the Houſe of Burgeſſes and acquaint Mr *Speaker* that the Lt Gouernr deſired and required him and the houſe of Burgeſſes to attend the Lt Gouernr and Councell in the Court houſe, att the beat of the firſt Drum.

The Clerk returnes with anſwer from the Houſe of Burgeſſes that Mr *Speaker* and the reſt of the Burgeſſes would readily obey the Lt Gouernrs Commands and attend accordingly.

Poſt

Poſt Meridiem

AFTER the drum had done beating the Lt Gouern^{r} with the Councell repaired to the Court houſe. where haueing ſpent ſome conſiderable time without the Attendance of any of the Burgeſſes; It was unanimouſly reſolued and accordingly ordered that the Clerke of the Councell ſhould forthwith wait upon the houſe of Burgeſſes and acquaint Mr *Speaker* that the Lt Gouern^{r} had long time waited for the houſe of Burgeſſes and then expected and required the Houſes immediate Attendance on him and the Councell in the Court houſe, as he had before appointed.

The Clerke goes on his meſſage, returnes and ſayes that att his firſt entrance into the houſe being Admitted, he was commanded by Mr *Speaker* to retire and withdraw himſelfe awhile.

Ordered a Second time, that the Clerke goe to the Houſe of Burgeſſes.

Before the Clerke was diſcharged from the Lt Gouern^{r} with his meſſage, a meſſenger from the houſe of Burgeſſes comes into Court houſe, and acquaints the Clerke that Mr *Speaker* had ſent for him

The Clerke in obedience to the Lt Gouern^{r} command and att Mr *Speaker*s requeſt leaues the Court houſe, waites on the houſe of Burgeſſes and acquaintes Mr *Speaker*, that he had receiued a command from the Lt Gouern^{r} to waite upon the houſe and acquaint them, that he with the Councell had long time waited for, and ſtill continued in expectation of their Attendance, which the Lt Gouer^{r} required ſhould be immediately.

The Clerke returnes and ſayes, that although he was commanded by the Lt Gouernour to goe a ſecond time to the houſe of Burgeſſes and ſent for by the Speaker, yet he waited neer half a hour, before he receiued his admittance, which when allowed, delivered his meſſage, to which Mr *Speaker* made anſwer y^{t} the houſe would conſider of what was deliuered.

Coll *Wm: Loyd* &c from the houſe of Burgeſſes acquaints the Lt Gouern^{r} that a meſſenger lately came into their houſe as from the Lt Gouern^{r} whom their houſe not knowing, they could take noe notice of

The Lt Gouern^{r} returnes his Anſwer in writeing, which was ſent by the Cl: of the Councell the next morning.

Die Veneris Apr: 21. 1682.

The Anſwer foll:

Mr *Speaker*

I DID ſeuerall times yeſterday ſend *Edward Chilton* . . . . . [See J. of H. of B., pp. 162-163.]

Maj^{r} *Cha: Scarburgh* &c comes from the Houſe of Burgeſſes and requeſt the Gouern^{r} to appoint Councell to ſwear the new elected Burgeſſes.

The Lt Gouern^{r} acquainted the Gentlemen, that he had oftentimes ſent for Mr *Speaker* and the houſe to Attend him, to impart his Majeſties Letter unto them, and till there coming would neither hear any meſſages nor permitt the new members to be ſworne.

The Gent returne to their houſe, they are againe ſent with a written meſſage directed to the Lt Govern^{r} & Councell

The Meſſage foll:

To the R^{t} Hon^{bl} His Majeſties Deputy Gouern^{r} of Virginia *and to the Hon^{bl} Councell of State*

The Houſe of Burgeſſes humbly preſent

This houſe haueing taken into their conſiderations y^{r} Hon^{rs} returne of their meſſage . . . . . [See J. of H. of B., p. 161.]

M^{r} *Wm: Fitzhugh* and Lt Coll *John Farrar* from the houſe of Burgeſſes waite upon the Gouern^{r} and acquaint him that the Houſe is ready to attend his Commands

The

The Lt Gouern^r^ makes anſwer that he is ready to receiue and admitt their Attendance:

The two members of the houſe of Burgeſſes return to their houſe

The Lt Gouern^r^ attended with the Councell, repaired to the Court houſe.

Mr *Speaker* accompanied with the whole houſe of Burgeſſes attend the Lt Gouern^r^ in the Court houſe;

Coll *Wm Cole* by order from the Honble Lt Gouern^r^ reades to Mr *Speaker* and the Houſe of Burgeſſes that part of his Majeſties letter, which commands the diſbanding the two foot companies, as well officers as priuate Soldiers att *Chriſtmas* laſt, unleſs the Gouern^r^ Councell and Aſſembly ſhould deſire and agree to pay them out of the reuenue raiſed or to be raiſed, within his Colony, for that purpoſe

The letter being read, the Lt Gouern^r^ deſired Mr *Speaker* & the houſe of Burgeſſes reſult therein

Mr *Speaker* replied, it was a matter of great importance, therefore deſired he and the reſt of the Burgeſſes might be admitted to retire to their houſe to adviſe & conſult therein.

The Lt Gouern^r^ charges Mr *Speaker* to lay aſide all other debates and returne their anſwer, with all expedition, to his Majeſties letter.

Mr *Speaker* with the Burgeſſes returnes to their Houſe. Coll *Wm: Loyd* with other of the Burgeſſes waite upon the Lt Gouern^r^ with a written meſſage from their houſe.

The Meſſage foll.

The houſe haueing conſidered what was read to them by Coll *Wm: Cole*, ... [See J. of H. of B., p. 163.]

The meſſage read

Ordered that Coll *Wm: Cole* and *Ra: Wormeley* Eſq ſwear the new elected Burgeſſes.

*By his Majeſties Deputy Gouern^r^*

I doe hereby nominate and appoint Coll *Wm: Cole* . . . . . [See J. of H. of B., p. 163.]

Coll *Wm: Cole* and *Ralph Wormeley* Eſq returne and ſay they haue adminiſtred the Oaths of Allegiance, Supremacy, and of a Burgeſs to the new elected members, that were preſent.

Ordered that Coll *Joſeph Bridger* goe to the Houſe of Burgeſſes, with a coppy of ye part of his Majeſties letter, that relates to the diſbanding the ſoldiers.

The words foll

Charles R.

Truſty and wellbeloued . . . . . [See J. of H. of B., p. 164.]

Coll *Joſeph Bridger* returnes from the houſe of Burgeſſes and acquaints the Lt Gouern^r^ & Councell that the houſe of Burgeſſes ſeemes well ſatisfied with the tranſcript of that part of his Majeſties letter.

Die Saturni Ap: 22: 1682

MR. *Tho: Clayton* &c from the houſe of Burgeſſes waite upon the Lt Gouern^r^ and return him the thanks of their whole houſe, for appointing Councell for ſwearing the new elected Burgeſſes, and likewiſe for ſending a coppy of that part of his Majeſties letter, which relates to them.

The Lt Gouern^r^ deſires the Gentlemen to acquaint Mr *Speaker* and the houſe of Burgeſſes, that he expected their full and ſpeedy anſwer to his Majeſties letter and till then to lay aſide all other debates.

The Gentlemen return

Die

Die Lunæ: Ap: 24th 1682 *Poſt Meridiem*

A WRITTEN meſſage ſent from the Lt Gouernr by the Clerke of the Councell, which foll

Mr *Speaker*

Haueing receiued a Command from his Majeſty . . . . [See J. of H. of B., pp. 167-168.]

Coll Sr *Leger Codd* and others from the Houſe of Burgeſſes bring an Anſwer to the laſt meſſage, and deliuer it to the Lt Gouernr

The Anſwer foll

This Houſe haueing read the late meſſage from the Rt Honble the Gouernr . . . . . [See J. of H. of B., p. 168.]

Die Martis. Ap: 25. 1682

ORDERED that Mr Secretary *Spencer* tranſmitt to *England* Coppies of the Journall of this Board, the Houſe of Burgeſſes, as likewiſe of all other proceedings, relating to this preſent Aſſembly, and that he take effectual care, that the ſame be preſented to the Rt Honble Sr *Lyonell Jenkins* his Majeſties Principall Secretary of State.

Moued in Councell, whether the Aſſembly ſhould continue being now mett, or be prorogued;

Reſolued nemine contradicente, that in obedience to his Majeſties Commands, the Aſſembly be prorogued (this afternoon) untill the tenth of *Nouember* next:

Ordered that the Clerke of the Councell waite upon Mr *Speaker*, and acquaint him, that the Lt Gouernr deſires, as ſoon as the houſe of Burgeſſes are mett, yt he would ſignifye the ſame to him.

The Clerke returnes and ſayes he deliuered his meſſage, to Mr *Speaker*, who promiſed to readily obey the Gouernrs Commands

---

Poſt Meridiem

THE Lt Gouernr and Councell repaire to the Court Houſe; Coll *Wm: Bird* and Capt *John Matthews* from the houſe of Burgeſſes attend the Lt Gouernr and acquaint him their houſe is mett:

The two members of the houſe of Burgeſſes returne to their Houſe

Ordered yt the Clerke of the Councell goe to the houſe of Burgeſſes and acquaint Mr *Speaker*, that the Lt Gouernr expects and requires his and the reſt of the Burgeſſes Attendance on him in the Court houſe immediately.

The Clerke returnes

Mr *Speaker* with the whole houſe of Burgeſſes attend on the Lt Gouernr in the Court houſe, according to directions

The Lt Gouernr deſires Mr Secretary *Spencer* to read to the houſe of Burgeſſes, then preſent that part of his Majeſties letter, which commands the proroguing the Aſſembly

Mr *Secretary* reades

The Wordes foll

Charles R

Truſty and wellbeloued . . . . . [See J. of H. of B., p. 169.]

The letter being read, the Lt Gouernr was pleaſed, (by the Aduice of the Councell) to prorogue the Aſſembly in theſe following words

In purſuance of his Majeſties letter, I doe in his Majeſties name prorogue you unto the tenth of *Nouembr* next.

Copia Vera
Teſt

Nicho: Spencer ſecty

17-18

THE

JOURNAL

OF THE

GENERALL ASSEMBLY

OF

VIRGINIA

begun Att *James Citty* y^e^ tenth day of *Nouember* and ended y^e^ two and twentieth day of *December Anno Regni Regis Caroli Secundi Nunc Angliæ* &c *34°: Annoq Domini* $168\frac{2}{3}$ [1682]

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1407, pp. 1-74.]

The Journal of The Generall Affembly of *Virginia* begun Att *James Citty* ye tenth day of *Nouember* and ended ye two and twentieth day of *December Anno Regni Regis Caroli Secundi Nunc Angliæ* &c *34o: Annoq Domini* $168\frac{2}{3}$ [1682]

Prefent

His Excellency *Thomas* Lord *Culpeper* Gouernr &c

Sr *Hen: Chicheley* Kn^{t}
Mr Secretary *Spencer*
Mr Auditor *Bacon*
Maj^{r} Gen^{ll} *Smith*
Coll *Joſeph Bridger*
Coll *Phillip Ludwell*
Coll *Wm Cole*
Ralph Wormeley Eſq^{r}
Coll *Richard Lee*
Coll *Matthew Kemp*
Coll *John Page*

The Burgeſſes for ye ſeveral Counties.

Henerico	Coll *Wm Bird*	*New Kent*	Coll *John Weſt*
	Lt Coll *Jo^{n} Farrer*		Mr *Cha: Turner*
Charles Citty	Mr *James Minge*	*Glocester*	Mr *John Buckner*
	Mr *James Biſſe*		Maj^{r} *Hen: Whiting*
James Citty	Mr *Tho: Clayton*	*Middx*	Mr *Xpher Robinſon*
Jam̃ Citty County	Coll *Tho: Ballard*		Mr *Abra: Weekes*
	M^{r} *Wm Sherwood*	*Rappā:*	Coll *John Stone*
Surry	Coll *Wm Brown*		Mr *Henry Awbrey*
	Maj^{r} *Arth: Allen*	*Lancaſter*	Capt: *Wm Ball*
Iſle of *Wight*	Coll *Arthur Smith*		Maj^{r} *Edwd Dale*
	Coll *James Powel*	*Northumbld*	Coll *Tho: Brereton*
Nanzemd:	Coll *Jo^{n} Lear*		M^{r} *Wm Preſly*
	M^{r} *Jo^{n} Braſhear*	*Weſtmld*	Lt Coll *Iſaac Allerton*
Lour Norfolke	Coll *Lemuel Maſon*		M^{r} *Wm Hardridge*
	Mr *Mala Thruſton*	*Stafford*	M^{r} *Wm Fitzhugh*
Eliz: Citty	Capt: *Arth: Armſtead*	*Accomack*	Coll *Dan^{ll} Jenifer*
	Mr *Baldwin Shepherd*		Mr *Edwd Read*
Warwick	Capt: *John Langhorne*	*Northampton*	Coll *Wm Kendal*
	Capt *Miles Carey*		Mr *Tho: Hunt*
York	Mr *Hen: Jenkins*		
	Mr *Tho: Barber*		

Die Veneris 10o die Nouembris 1682.

THE Lt Gouernr with ſome of ye Councel meet according to ye tenor of the writts in order to hold An Affembly

Die Martis 14° die Nouembris

THE Lt Gouern^r Attended with moſt of ye Councel repaires to ye Court houſe, where *It was ordered* that ye Clerk of ye General Aſſembly ſhould waite on ye houſe of Burgeſſes and acquaint them y^t ye Lt Gouern^r and Councel required their immediate Attendance in the Court houſe.

The Clerk returnes with anſwer, that ye houſe of Burgeſſes would moſt readily obey the Lt Gouern^rs Commands.

The houſe of Burgeſſes Attend ye Lt Gouern^r & Councel in ye Court houſe.

The Lt Gouern^r ſpeakes as followes

The laſt time I had ye honour and ſatisfaction of meeting you, ye Hon^rble Gentlemen of his Majeſties Councel and ye Gentlemen of the then houſe of Burgeſſes, in this place, on this occaſion, I then imparted his Majeſties Commands, wch in that juncture, I had ye honour to receiue, in wch his Majeſty was pleaſed to ſignifye his Excellency The Lord *Culpeper* ſhould return to this his Lordſhips Gouernm^t with full ſignification of his moſt ſacred Majeſties Royall will and pleaſure, in all affaires of this Government. his Excellencies Arriual is daily, nay hourly, expected, of wch we haue as full Aſſurance, as from Sea expectation can poſſibly be, ſome ſhips being lately arriued giue moſt poſitiue Account, that his Lordſhip was to ſaile, from y^e *Downes*, ye next day; upon which conſideration, and to ye intent wee may ye beſt way huſband our time, I ſhall att preſent, only recommend to y^r conſideration, aduice and performance, ye diſcharge of ye Publick Credit, wch principally hath ariſen, for ye maintenance of ye Garriſons, as likewiſe y^r aduice, whether you Shall find it neceſſary, longer to continue them, or haue them ſlighted. This is Att preſent y^e *Vnum Neceſſarium*, wch I deſire you to take into y^r ſerious conſideration and not enter into any other debates, but wholy compoſe y^r ſelues calmely and Speedily to this affaire propoſed, And this I deſire of you and only giue you in charge, from ye regard I haue to ye care of y^r own perſons and ye mitigation of a greater charge, wch unauoidably will attend y^r long continuance, and that only to propoſe and debate matters, upon unſure foundations, wch will ſoe be, until ye Signification of his Maj^ties will and pleaſure, or ye Arriual of ye Lord *Culpeper:* I hope you came here with hearts and minds ſoe truly zealous, for y^e ſeruice of his Maj^ty and Good of ye Countrey, nay I ſay, I doe not only ſoe hope, but I firmely and fully ſoe beleiue of you, therefore ſhall not ſpend more time in words to ſet forth this my deſire unto you, but pray to God to guide our Councels and theſe our endeauors.

Hen: Chicheley.

The Lt Gouern^r commands ye houſe of Burgeſſes to return to their houſe and proceed to ye election of their Speaker.

The Burgeſſes goe to their houſe.

The houſe returnes and preſent Coll *Thomas Ballard* for their Speaker.

The Lt Gouern^r and Councel allow of their choice & commend y^e ſame.

Coll *William Brown*, Lt Coll *Daniel Jenifer* and Mr *Malachy Thruſton*, waite upon ye Lt Gouern^r from ye houſe of Burgeſſes, and requeſt his honour to appoint Councel, to adminiſter ye oathes, as by Law required, to ye reſpectiue members.

The Lt Gouern^rs Commiſſion followes

I doe hereby nominate, order and appoint Coll *Joſeph Bridger* and Coll *Phillip Ludwell* two of his Majeſties Councel of State, in this Colony, to adminiſter ye Oaths of Allegiance and Supremacy, as likewiſe ye Oath of a Burgeſs to euery Indiuidual member of this Aſſembly, Giuen under my hand this 14th day of *Nouember* 1682.

Hen: Chicheley.

The Gentlemen of ye Councel return with anſwer, that they had adminiſtred ye Oaths of Allegiance, Supremacy and of a Burgeſs to All ye members preſent.

The Lt Gouern^r and Councill adjourn till ye morning

Die

Die Mercurii 15th

A MESSAGE from ye houſe of Burgeſſes by Coll *Wm Kendall* &c

Nouember 15th 1682.

Reſolued and *ordered* That a meſſage be ſent by Coll *Wm Kendall*, Coll *Arthur Smith*, Major *Arthur Allen*, and Capt: *Wm Ball* to ye Honrble Gouern and Councel, with an Addreſſe to their Honrs and pray them, that ye Records, Journalls, Bookes and all manner of other papers and letters belonging to, or that may concerne this houſe, and late in ye poſſeſſion of Major *Robert Beverley*, as Clerk of ye Aſſembly, or otherwiſe, may be deliuered to this houſe.

Tho: Ballard Speaker

The anſwer followes

By The Lt Gouern and Councel

Vpon ye requeſt and deſire of ye houſe of Burgeſſes, that all books Journalls and whatſoever papers were formerly in ye poſſeſſion of Majr *Robert Beverley*, as Clerk, relating to ye Publick, wch by order of Councel were taken out of his cuſtody and keeping, may be deliuered to ye houſe of Burgeſſes. I'ts Anſwered and accordingly *reſolued* and *ordered* that Mr Secretary *Spencer* doe deliuer unto ſuch members of ye houſe of Burgeſſes, as that houſe ſhall appoint, all books, Journalls and papers by order of Councel taken out of ye poſſeſſion of Major *Robert Beverley*, and committed to ye care, charge and keeping of Mr Secretary *Spencer* and that accordingly a liſt be taken of all ſuch books, Journalls and papers redeliuered and Subſcribed by thoſe members of ye houſe of Burgeſſes, as ſhall be appointed to receiue them.

Edwd Chilton Cl Genll Affbly

Ordered that ye Clerk goe to ye houſe of Burgeſſes and preſent ye aboue anſwer to ye addreſſe of ye houſe of Burgeſſes to Mr *Speaker*.

The Clerk returnes.

Coll *Wm Kendal* with others from ye houſe of Burgeſſes waite upon ye Lt Gouern and deſire his honour to fauour their houſe with a copy of his charge.

The Gentlemen return

Ordered that Coll *Natha Bacon* and Coll *Wm Cole* carry ye Lt Gouernrs Speech to ye houſe of Burgeſſes, and deſire ye Speaker, after they have taken a copy, to return ye Original

Coll *Bacon* and Coll *Cole* return

A meſſage ſent from ye houſe of Burgeſſes by Mr *Tho Clayton* &c.

The meſſage followes

Nouember 15th 1682

By the houſe of Burgeſſes

Mr *Edward Chilton* brings into this houſe An order of ye Gouern and Councel, that Mr Secretary *Spencer* doe deliuer unto ſuch members of ye houſe of Burgeſſes, as ye houſe ſhall appoint, all books, Journals and papers, by order of Councel, taken out of ye poſſeſſion of Major *Robert Beverley*, and committed to ye care, charge and keeping of Mr Secretary *Spencer*, and yt a liſt be taken of all ſuch books, journalls and papers deliuered and Subſcribed by thoſe members ye houſe Shall appoint to receiue them, wch order was ſubſcribed (*Edwd Chilton* Cl Genll Affbly)

This houſe doth unanimouſly except, agt ye ſubſcription of ye laſt recited order, of ye Gouern and Councel, as unuſual, introduced without any former uſage or cuſtome in this houſe, neuertheleſſe, ſauing to this houſe ye antient Rights, Priuiledges and uſages thereof, and with proteſtation, that noe aduantage ſhall be thereby taken, to ye prejudice of this houſe, doe order and appoint Mr *Thomas Clayton*, Major *Henery Whiting*, Mr *Wm Fitzhugh* and Mr *Chriſtopher Robinſon* to Attend upon Mr Secretary *Spencer*, to receiue ye books, Journals &c mentioned in ye ſaid order of ye Honrble Gouern and Councel, according to ye purport of ye ſaid order and upon receipt to convey ye ſame books journalls &c into this houſe.

Tho: Ballard Speaker

Mr

Mr *Secretary* deliuers ye books, journals &c

The receipt followes

Wee the fubſcribers being appointed by ye houſe of Burgeſſes, to receiue what books, papers and journals Mr Secretary *Spencer* had in his cuſtody, belonging to ye Publick, formerly in ye poſſeſſion of Major *Robert Beverley*, as Clerk of ye houſe of Burgeſſes, doe hereby acknowledge, to haue receiued from Mr Secretary *Spencer* all books, papers and journals, mentioned in ye liſt ſubſcribed by *Ralph Wormeley* Eſq, Coll *Matthew Kemp* and Coll *Chriſtopher Wormeley*, as likewiſe what books, papers, and journals were mentioned in ye liſt ſubſcribed by *Peter Beuerley*, according to each particular bundles endorſement, wee doe hereby acknowledge to haue receiued ye ſame, as witneſſe our hands this 15th day of *Nouember* 1682

Tho: Clayton
Hen: Whitings
Will: Fitzhugh
Chr: Robinſon

Die Jouis 16o Nouembris 1682

A MESSAGE ſent from ye houſe of Burgeſſes by Coll *Lemuel Maſon* and Capt: *John Langhorne* by word of mouth to ye Lt Gouernr and Councel, to acquaint their Honrs, that] they had made choice of a Clerk and deſired ye Lt Gouernr to appoint Councel to ſwear him accordingly.

The Lt Gouernrs Anſwer

Mr Speaker *and Gentlemen of y houſe of Burgeſſes*

I have received a meſſage from yr houſe, by two of yr members acquainting me yr houſe deſired I would aſſigne Councel to ſwear yr Clerke, but haue not giuen me ye knowledge of ye perſon newly elected, I expect you preſent me his name ſoe elected, before I aſſigne Councel

Hen: Chicheley

Nouember 16th 1682

The two following meſſages ſent from ye houſe of Burgeſſes by Coll *William Kendal* and Capt *John Langhorne*

Thurſday Nouember 16th 1682

It being put to ye vote of this houſe, whether Lt Coll *Thomas Milner* or Mr *James Minge*, ſhal be Clerke of this Aſſembly, ye Sd *Thomas Milner* is by ye majority of votes elected Clerke of ye Aſſembly

Tho: Ballard Speaker

Thurſday Nouember 16th 1682

Whereas ye houſe of Burgeſſes haue elected and appointed *Tho: Milner*, who was returned a Burgeſſe, for ye County of *Nanzemond*, to be Clerk of ye Aſſembly, and ye ſaid *Thomas Milner* being by ye ſaid election rendered incapable, to ſerue in ye capacity of a Burgeſſe;

The Honrble Gouernr is therefore requeſted, that a writt may be directed to ye Sheriffe of *Nanzemond* County, for ye election of another Burgeſſe, for ye ſaid County, in ye room of ye ſaid *Thomas Milner*.

Tho: Ballard Speaker

Ordered that ye Clerk goe with ye following meſſage to ye houſe of Burgeſſes, in anſwer to their meſſage.

Mr Speaker *and Gentlemen of y Houſe of Burgeſſes.*

I doe well approue of yr choice of Lt Coll *Thomas Milner*, to be ye Clerk of yr houſe, and haue accordingly aſſigned Coll *Joſeph Bridger*, and Coll *Phillip Ludwell*, two of his Majeſties Councell, to ſwear him Clerk of ye houſe of Burgeſſes, and att yr requeſt,

requeſt, I haue ordered ye Clerk to prepare a writt, for my ſigning, directed to ye Sheriffe of *Nanzemond*, to conuene ye freeholders of that County and to proceed to ye elec̃tion of a new repreſentatiue, in ye room of him, who is now y^r^ Clerk.

Hen: Chicheley

The Clerk goes to ye houſe of Burgeſſes, deliuers ye meſſage to ye Speaker

The Clerk returnes

Coll *Joſeph Bridger* and Coll *Phillip Ludwell* goe to ye houſe of Burgeſſes, with intent to ſwear Lt Coll *Thomas Milner*, att ye requeſt of ye houſe of Burgeſſes, their Clerk

Coll *Joſeph Bridger* and Coll *Phillip Ludwell* return and ſay, ye houſe of Burgeſſes would conſider of ye oath, offered to be adminiſtred to ye Clerk of ye houſe of Burgeſſes.

---

*Poſt meridiem Nouembris 16°* 1682.

A MESSAGE from ye houſe of Burgeſſes by Mr *John Buckner* and Mr *Baldwin Shepherd*

This houſe hauing under their conſideration ye matter concerning ye Swearing ye Clerk of ye Aſſembly, wch paſſed this forenoon, when ye Gentlemen of ye Council were in this houſe

The houſe doe all unanimouſly agree and reſolue, that his honour ye Gouern^r^ may be requeſted, y^t^ a conferrence may be had, with ſome of ye Hon^rble^ Council, and ſome members to be appointed by this houſe, and that if it ſtand with their Hon^rs^ conueniency it may be forthwith had.

Tho: Ballard Speaker

The Lt Gouern^rs^ Anſwer

Mr Speaker *and Gentlemen of ye houſe of Burgeſſes*

Whereas ye houſe of Burgeſſes haue requeſted, that a conferrence be held, with ſome of ye Councel and ſome of ye houſe of Burgeſſes, in ye debate of a Clerk to be ſworne for ye houſe of Burgeſſes, I doe nominate and appoint Mr Secretary *Spencer*, Mr Auditor *Bacon*, Coll *Joſeph Bridger*, Coll *Phillip Ludwell* and Coll *Wm Cole* fiue of his Maj^ties^ Council to hold a conferrence in ye aforeſaid matter, and that ye weighty buſineſſe of this General Aſſembly, may not be retarded, I deſire this conferrence be not delaied

Hen: Chicheley

Nouember 16th 1682

Ordered that ye Clerk carry ye aboue meſſage, to ye houſe of Burgeſſes and deliuer it to Mr *Speaker*

The Clerk proceeds on his meſſage

The Clerk returnes

Coll *John Weſt* and Mr *Edward Read* from ye houſe of Burgeſſes, wait upon ye Lt Gouern^r^ and giue him thanks, for aſſigning Councel to hold a conferrence, with ſome of their members in ye debate relating to y^e^ ſwearing ye Clerk of ye houſe of Burgeſſes, and as ſoon, as their Clerk can conueniently, ye names of thoſe, who are to manage that conferrence ſhall be ſent to his Hon^r^

The Gentlemen return

Coll *William Kendal* with other Gentlemen preſent the following meſſage

Poſt Meridiem Nouember 16th 1682

Coll *Wm Kendal*, M^r^ *Wm Fitzhugh*, M^r^ *Wm Sherwood*, Mr *Charles Turner*, Coll *Thomas Brereton*, Mr *Chriſtopher Robinſon*, Mr *Thomas Clayton*, Coll *John Lear*, Coll *Lemuel Maſon*, Mr *James Minge* are appointed to mannage the conferrence with ye Gentlemen of ye Councel, appointed by the Hon^rble^ Govern^r^ concerning ye Clerk of ye Aſſembly, why ye Clerk choſen by this houſe, ſhould not be ſworne and continued

Clerk

Clerk of ye Aſſembly, according to ye auntient uſages & practices of all former Aſſemblies in this Country, and theſe Gentlemen ſhall make uſe of ſuch reaſons, and Arguments, as haue been uſed in this houſe and other, as they ſhall think fitt, for ye management of ye conferrence.

Tho: Ballard Speaker

Die Veneris 17° 9^bris^ 1682

A MESSAGE from the houſe of Burgeſſes by Coll *Wm Kendal* and M^r^ *Wm Fitzhugh*

Fryday Nouember 17th 1682

Vpon conſideration and full debate of ye report of ye Gent of ye conferrence and ye arguments and reaſons urged and uſed by diuers members of this houſe, upon y^e^ ſame, & for an Accomodation and to ye end this Aſſembly may goe on and proceed in ye diſpatch of that affaire, for wch they are now conuened:

Reſolued Nemine Contradicente, y^t^ ye uſages and auntient laudable and neceſſary cuſtomes of this houſe be from henceforth obſerued and maintained, and that an humble addreſſe be forthwith made by this houſe to ye Hon^rble^ Gouern^r^ and Councel, that for ye future in Committees ſome of ye Hon^rble^ Councel may be aſſigned by ye Hon^rble^ Gouern^r^ (upon ye requeſt of this houſe) to join with and aſſiſt ye Committees of this houſe, in ye debating & preparing matters for ye conſideration of ye Gen^ll^ Aſſembly as hath been formerly uſed in any Grand Aſſembly heretofore held by ye Hon^rble^ Gouern^r^ Councell and Burgeſſes of this his Maj^ties^ Dominion, and that for ye expediting and diſpatch of ye Countries buſineſſe ye Clerk of ye Aſſembly may be ſworne, as hath been formerly uſed and Accuſtomed

Tho: Ballard Speaker

Ordered that ye Clerk attend Mr *Speaker* in ye houſe of Burgeſſes, and acquaint him, that ye Lt Gouern^r^ requires him and ſome of ye members of that houſe to Attend him and ye Councel immediately in ye Councel Chamber.

The Clerk proceeds on his meſſage

The Clerk returnes with anſwer, that he has acquainted Mr *Speaker* with ye Lt Gouern^rs^ Commands, and Mr *Speaker* made noe reply

about halfe an hour after

Coll *John Weſt*, Coll *Thomas Brereton* and Mr *Xpher Robinſon* with another from ye houſe of Burgeſſes waite upon ye Lt Gouern^r^ and acquaint him, that by order of their houſe, they waite upon his Hon^r^ to receiue his Commands

The Lt Gouern^r^ acquaints the Gentlemen, that he ſent for Mr *Speaker* and halfe a dozen of their members.

The Gentlemen begg his pardon, with apprehenſions that ye meſſage was wrong deliuered, and return ſaying, that their Speaker would waite upon his honour in ye morning.

Major *Arthur Allen*, Coll *Lemuel Maſon*, Mr *Tho: Barber* and Mr *Baldwin Shepherd* waite upon ye Gouern^r^ and acquaint him, that by order from their houſe they waite upon his Hon^r^ and acquaint him their houſe was ſlender and it was late att night, therefore they deſired, that it might be defferred till ye morning.

The Lt Gouern^r^ acquaints them, that he would moſt willingly haue conferred with ye Speaker and ſome of ye members of their houſe, to ye end ye Countries buſineſs might not be delaied and that he would moſt willingly ſtay till ten or eleuen of ye Clock att night, prouided ye Speaker with ſome of their houſe would attend him

The Gentlemen return with anſwer, that they were bound by Inſtructions to ſay noe more.

Die

Die Saturni 18°. 9bris 1682

ORDERED that ye Clerk waite upon Mr *Speaker*, in ye houſe of Burgeſſes and acquaint them that ye Lt Gouern^r and Councel are met.

The Clerk goes and acquaints Mr *Speaker* with his meſſage.

The Clerk returnes with anſwer, that Mr *Speaker* would ſuddenly return anſwer to ye Gouern^rs Commands.

Mr *Speaker* Attended with Mr *John Buckner*, Mr *Henery Whiting*, M^r *Wm Fitzhugh*, Mr *Chriſtopher Robinſon*, Mr *Thomas Barber* and Mr *Cha: Turner* waite upon ye Gouern^r

The Lt Gouern^r acquaints them, that he had ſent for them yeſterday, and is ſomewhat diſpleaſed, that they ſtand ſoe long upon niceties, with diſputing ye title of Clerk of ye Aſſembly, comparing this to ye Parliament of *England*, and y^t he had aſſigned Councel to ſwear their Clerk, Clerk of ye houſe of Burgeſſes and produced a Preſident wherein their Clerk formerly ſigned *Cler: Dom̃: Com̃:* deſired them to delay noe more time, by ſpending ye Countries money in vain, but to return their anſwer ſuddenly

Mr *Speaker* with ye reſt of ye houſe return.

Mr *Henery Whiteing* with Mr *Miles Cary* from ye houſe of Burgeſſes waite upon ye Lt Gouern^r and Councel, deſiring their Hon^rs to tranſmit to their houſe ye Preſident produced, ſigned by Mr *Corker*, that ye Clerk of ye houſe of Burgeſſes formerly ſigned himſelfe *Cler: Dom̃: Com̃:*

The Gentlemen return with ye paper

Coll *Daniel Jenifer*, Mr *Hen: Jenkins* and Mr *Xpher Robinſon* from ye houſe of Burgeſſes waite upon ye Lt Gouern^r and Councel and preſent him with ye following paper.

To the R^t Hon^rbl^e ye Gouern^r and ye Hon^rbl^e Councel of State

The humble addreſs of ye houſe of Burgeſſes in behalfe of themſelues and ye whole Commonality of this his Maj^tes Dominion of Virginia

This houſe doth firſt humbly offer to y^r Hon^rs that they doe conceiue, they haue not in any manner been negligent of ye Country Affaires, nor of ye diſcharge of ye truſt repoſed in them, ſince their coming together, and doe reſolue with one mind, to uſe their utmoſt endeauors in their further proceſſe, in this Aſſembly to manifeſt their obedience to y^r Hon^rs

And they doe humbly pray y^r Hon^rs y^t you would be pleaſed, that they may receiue from y^r Hon^rs in writing an anſwer to ye meſſage, being a reſolution of this houſe ſent yeſterday to y^r Hon^rs by ye hands of Coll *Wm Kendall* and M^r *Wm Fitzhugh*

Tho: Ballard Speaker

Nouember 18th 1682

The Lt Gouern^rs anſwer returned by ye Clerk

Mr Speaker *and Gentlemen of ye houſe of Burgeſſes*

On *Thurſday* att y^r requeſt I aſſigned Councel to ſwear y^r Clerk accordingly doe now offer y^e ſame and to be ſworne, as its y^r right and due, to haue him ſworne Clerk of y^r houſe of the houſe of Burgeſſes: I earneſtly requeſt and require you, that youl not looſe more time, but fall diligently and ſeriouſly to thoſe affaires, I gaue you in charge, and expect y^r performance that this our meeting, as its moſt heartily deſired and wiſhed may haue an happy accord and ſucceſsfull cloſure.

Hen: Chichely

9^ber 18th 1682

The Clerk returnes with anſwer that he has deliuered the aboue meſſage to Mr *Speaker*

Lt Coll *James Powel*, Coll *John Stone*, Coll *Thomas Brereton* and Major *Arthur Allen* from ye houſe of Burgeſſes waite upon and preſent ye Gouern^r with ye following meſſage

Saturday Nouember 18th 1682

It is ye unanimous uote of this houſe that ye writing now brought from ye Hon^rbl^e Gouern^r by Mr *Edward Chilton* Clerk of ye Councel is not a full anſwer to their humble Addreſſe

Addreſſe this day ſent to his Honr and Councel, by ye hands of Coll *Daniel Jenifer*, Mr *Xpher Robinſon* and Mr *Henery Jenkins*, for that noe notice is therein taken of ye vote of this houſe, that for ye future in Committees ſome of ye Honrble Councel may be aſſigned, by ye Honrble Gouernr upon ye requeſt of this houſe, to aſſiſt in ye debating and preparing of matters, for conſideration of ye Genll Affbly and ye houſe doe alſoe unanimouſly agree, and uote, yt it is their auntient and undoubted right and priuiledge, to haue their Clerk ſworne Clerk of ye Aſſembly and that they cannot, neither in honour nor juſtice recede from ye ſame, and therefore doe again, moſt humbly pray yr Honr that he may be ſoe allowed and ſworne, to ye end that noe more time may be ſpent nor ye Aſſembly retarded in their proceedings in their weighty affaires.

And this houſe doe further humbly offer to yr Honrs conſideration that ye Burgeſſes, according to ye writt for election, were met att *James Citty*, and did continue from *fryday* ye tenth day untill *tueſday* ye fourteenth day of this inſtant, before they were by yr Honr called together to receiue yr Commands.

Tho: Ballard Speaker

Ordered that ye Clerk preſent ye following meſſage to Mr *Speaker*.

Mr Speaker *and Gentlemen of y houſe of Burgeſſes.*

In yr paper, euen now brought me, by ſome of yr members, you ſay, yr houſe met on ye day by writ appointed, but doe not take notice, that halfe yr houſe was not in Town ye eleuenth inſtant, nor a full houſe till *monday*, in ye afternoon, on *tueſday*, wch was as ſoon, as yr houſe was full I Commanded yr Attendance on me, and then gaue you in charge, what was moſt abſolutely neceſſary, to be preſently taken under conſideration, ye wch by yr proceedings, I haue juſt cauſe to belieue, you only intended ye hearing of, or elſe would not paſſe ſoe much time, without performing ye leaſt point of what conuened for, that all yr time hath not been well managed, yeſterdayes proceedings did ſufficiently euidence, for I deſired Mr *Speaker* with ſome of yr members, to attend me and in expectation thereof waited ſome houres, and att laſt had return that Mr *Speaker* would come ye next morning, wch I took as if it had been ſaid, Mr *Speaker* either would not, or could not come, ye wch I cannot but reſent and take it, as it's ye greateſt ſlight, any of his moſt ſacred Majties Gouernrs of this Colony euer receiued from ye houſe of Burgeſſes; Gentlemen I am conſtrained to make theſe particular recitals to acquit myſelfe

Hen: Chicheley

Nouember 18th 1682

The Clerke returned

Ordered that ye Clerk carry ye following meſſage.

By the Lt Gouernour and Councel

The Lt Gouernr and Councel hauing under their moſt ſerious conſideration ye ſlow motion, or rather noe progreſſe of affaires, for wch this Aſſembly was conuened, and finding ye whole Current of buſineſſe, to be ſtop'd by the houſe of Burgeſſes refuſing to haue their Clerk ſworn Clerk of yt houſe, but inſiſting to haue ye ſaid Clerk ſworn Clerk of ye Aſſembly, a taken up title not agreable to ye great Preſident of ye great and Honrble body, ye houſe of Commons of *England*, whoſe Clerk only beares ye title of Clerk of ye houſe of Commons and to all matters, to wch ye ſaid Clerk is to ſigne, giues noe other title, then *Clericus Dom: Com:* in wch ye Lt Gouernr and Councel to manifeſt how ſenſibly they are of and heartily affected with ye growing charge of this Aſſembly, wch will prove inſupportable, ſhould time in debates of this nature thus be ſpent, ye wch to eaſe and lighten, out of ye earneſt deſire, they haue, that matters of this Aſſembly may proceed, I'ts admitted ye Clerk of ye houſe of Burgeſſes be ſworne Clerk of this preſent ſeſſions of Aſſembly, but with this reſeruation and proteſtation, that this admittance be not taken or allowed, to be any preſident for future Aſſemblies or Seſſions of Aſſemblies, whereby to pretend to, or entitle ye Clerk of ye houſe of Burgeſſes by any other ſtile or title, then Clerk of ye houſe of Burgeſſes.

Edward Chilton Cl of Genll Affbly

Nouember 18th 1682

The

The Clerk returnes

A meſſage from ye houſe of Burgeſſes by Lt Coll *Iſaac Allerton* and other members hereafter named

The meſſage Followes

Poſt meridiem Nouember 18th 168[illegible]

Reſolued by the houſe of Burgeſſes, that ſome members be appointed by this houſe to waite upon ye Gouern^r^ and pray his Hon^r^ in ye behalfe of this houſe, that ye Clerk may be ſworne without ye limitations and proteſtations in ye laſt paper receiued from ye Hon^rble^ Gouern^r^ and Councel by Mr *Edward Chilton* Clerk of ye Councel, and that ye Gouern^rs^ Honour will be pleaſed, to giue an anſuer to this houſe, of ye other part of ye humble addreſſe, relating to ye Councels joining, with ye Committees of this houſe, in preparing matters for ye conſideration of ye Gen^ll^ Aſſ^bly^ upon wch this houſe will be in a condition uigorouſly to proceed upon ye weighty affaires that lye before them Coll *Iſaac Allerton*, Coll *William Bird*, Coll *William Brown*, Mr *Abraham Weekes* are appointed and deſired by this houſe, to waite upon ye Hon^rble^ Gouern^r^ with this Reſolue and to pray his Hon^rs^ conceſſion to y^e^ ſame, in ye name of this houſe

Tho: Ballard Speaker

The Gentlemen return

Ordered that the Clerk attend upon Mr *Speaker* and deſire him to Command ye laſt members to attend ye Gouern^r^

The Clerk goes and deliuers his meſſage

Coll *Allerton* and ye other Gentlemen waite upon ye Lt Gouern^r^ and acquaint him, that ye paper they brought comprehended their whole Commiſſion, and therefore could make noe farther anſwer.

The Gentlemen return

Mr *Miles Carey* and Mr *Thomas Hunt* wait upon ye Lt Gouern^r^ and acquaint him their houſe are preparing a meſſage, wch ſhall be forthwith ſent.

The Gentlemen return

Coll *Allerton*, Coll *Bird* &c wait upon ye Lt Gouern^r^ and p̄ſent him with ye following meſſage

*Poſt meridiem 9^brıs^ 18°* 1682.

Lt Coll *Iſaac Allerton*, Coll *Wm Bird*, Coll *Wm Brown* and Mr *Abraham Weekes* are again deſired and appointed to waite upon ye Hon^rble^ Gouern^r^ and Councel, with a copy of y^r^ Clerks Oath, as is now framed by this houſe, and to pray their Hon^rs^ that they will pleaſe, ye Clerk may be ſworne, according to that forme, without any limitation, and thereupon this houſe will order, y^t^ ye proteſtation formerly entered in their Journal ag^t^ ye title of Clerk of ye Gen^ll^ Aſſembly, ſhall be taken out and obliterated, and to pray their Hon^rs^ ye like may be done by their Hon^rs^ proteſtation lately ſent to this Houſe

Tho: Ballard Speaker

The Lt Gouern^r^ acquaints ye Gentlemen, that he formerly had and that he is willing again, to aſſigne Councell to ſwear their Clerk Clerk of ye Aſſembly, for this preſent ſeſſions, but as to ye obliterating ye proteſtation entred in ye Journal, acquainted them, that he could not make a poſitiue anſwer thereto, being concluded in full Councel, and ſome of ye Gentlemen of ye Councel out of Towne.

The Gent return

about halfe an hour after

Coll *John Stone*, and Mr *Malachy Thruſton* waite upon ye Lt Gouern^r^ and acquaint him, their houſe is uery thin, many of their members (being *Saturday* night) gone out of Town, and therefore deſired, that his Honour would not expect their reſolution, till *monday* morning.

The Lt Gouern^r^ and Councel adjourne till *Monday* morning

Die

Die Lunæ 20th *Nouember* 1682,

THE Clerk carries ye following meſſage to ye houſe of Burgeſſes

Whereas ye houſe of Burgeſſes haue requeſted, that I would aſſigne Councel, to ſwear ſuch of their members as are now in their houſe, not yet ſworne.

I doe therefore hereby nominate, order and appoint Coll *Joſeph Bridger* and Coll *Matthew Kemp*, two of his Majtıes Councel, to adminiſter ye Oathes of Allegiance and Supremacy, as likewiſe ye Oath of a Burgeſſe, to euery elected member of this Aſſembly, not yet ſworne, as likewiſe that they adminiſter ye Oath, to Lt Coll *Thomas Milner*, of Clerk of ye Aſſembly, for this preſent ſeſſions of Aſſembly.

Hen: Chicheley

Coll *Wm Kendal* with others from ye houſe of Burgeſſes preſent ye following meſſage

1682 *Monday Nouember* 20th *Poſt meridiem*

Whereas this houſe haue ſeueral times, by ſome of ye members of this houſe, made their humble addreſs and requeſt to ye Honrble Gouernr and Councel, that they would pleaſe to conceed, that ſome of ye Honrble Councel ſhould by his Honrs appointment, on ye requeſt of this houſe, be joined with ye Committees, of this houſe, in preparing matters, for ye conſideration of ye General Aſſembly, according to ye auntient laudable and neceſſary Cuſtomes, uſed in former Aſſemblies of this Country; And *whereas* this houſe did on *Saturday* laſt, by Coll *Allerton* and ſome other members of this houſe ſend to their Honrs a copy of ye oath conceiued and framed by this houſe to be adminiſtred to ye Clerk of ye Aſſembly and did alſoe by thoſe members pray their Honrs that ye Clerk might be ſworne, according to that forme, and did declare that they would thereupon take out and obliterate from their Journal their exception and proteſtation agt ye title of Clerk of ye General Aſſembly and to pray their Honrs ye like might be done by their proteſtation lately ſent to this houſe, and *whereas* Coll *Allerton* and ye reſt of thoſe members ſent from this houſe to their Honrs upon their return to this houſe did report, that ye Honrble Gouernr was pleaſed to anſwer, that his Honr and ye Councel were willing the Clerk ſhould be ſworne Clerk to this preſent ſeſſions of Aſſembly, but as to ye proteſtations and limitations they would reffer to this day by reaſon ſeueral of ye Honrble Councel were gone out of Towne

This Houſe doe now humbly pray their Honrs that they will be pleaſed to giue this houſe a full anſwer to their humble requeſt concerning ye Councellours joining with ye Committees of this houſe and that ye Clerk may be ſworne according to that oath without any limitations, reſeruations or proteſtations, that ſoe they may, (as they earneſtly deſire) frame themſelues to ye diſpatch of ye weighty affaires of ye Country

Tho: Ballard Speaker

Ordered that ye Clerk carry ye following meſſage to ye houſe of Burgeſſes, being an anſwer to theirs.

By The Lt Gouernr and Councell

Whereas ye houſe of Burgeſſes by Coll *Wm Kendall*, with many worthy members of that houſe euen now preſented a writing, from that houſe, ye conſideration of wch is ſuch, yt ye late ſeaſon of this euening admits not time to make full anſwer unto; Its therefore *Reſolued*, that anſwer be giuen too morrow morning thereunto, wch would not haue been till then defferred, had any return from ye houſe of Burgeſſes been made in any part of this day, whereby to haue had time proportionable to haue made reſponſe

Edwd Chilton Cl Genll Affbly

20th *Nouember* att ſeuen of ye Clock att night.

Die

Die Martis 20° [21] *Nouembris* 1682

THE following meſſage brought from ye houſe of Burgeſſes by Lt Coll *James Powell*, Maj^r^ *Arthur Allen*, Coll *Lemuel Maſon*, and Coll *Thomas Brereton* *Tueſday Nouember* 21th in ye forenoon

*May It Pleaſe y^r^ Hon^r^*

This houſe hauing receiued from y^r^ Hon^rs^ a meſſage, dated laſt night att ſeuen of ye Clock, that you would giue an anſwer this morning to ye addreſſe of this houſe, ſent to ye Hon^rs^ by Coll *Kendall* & other members, wch you are pleaſed to ſay ſhould not haue been defferred, had any return from ye houſe of Burgeſſes in any part of that day been made, whereby to haue time proportionable to haue made reſponſe.

The houſe doe with all reſpect and reuerence due to y^r^ Hon^rs^ humbly deſire to acquaint you, that as a continued demonſtration of their earneſt deſire, and due Attendance, on ye great and emergent affaires of ye Country, This houſe did on *Saturday* laſt humbly pray y^r^ Hon^rs^ by ſome of their members, that you would pleaſe, to giue an anſwer to their addreſſe, and y^r^ Hon^rs^ were pleaſed to deffer it till *monday;* In expectation and hopes thereof this houſe did attend yeſterday, and put themſelues on ye diſpatch of other neceſſary matters concerning return's of writts and other things that lay before them, and did about fiue of ye Clock, in ye afternoon yeſterday ſend to y^r^ Hon^rs^ by Coll *Kendall* and other members, to pray y^r^ Hon^rs^ for a full anſwer to their requeſt, wch was ye firſt thing this houſe took into conſideration, and applied themſelues to, att their meeting in their houſe, in ye afternoon, & ye reſt of ye time yeſterday was ſpent in expectation of y^r^ Hon^rs^ fauourable and beninge anſwer to their juſt and humble requeſt, wherefore this houſe doe humbly pray, that y^r^ Hon^rs^ will pleaſe to conceiue a right of this houſe in their proceedings, who aſſiduouſly joine, according to ye obligation, they take themſelues to be under, both to God and ye people they repreſent, to make ye beſt uſe of their time, without reſpect to early or late, and to improue their utmoſt endeauours, to accompliſh ye end of this meeting, and to manifeſt our duty to our moſt Gracious King, our due reſpects and obedience to y^r^ Hon^rs^ and to diſcharge ye truſt repoſed in us

Tho: Ballard Speaker

The Gent return

M^r^ *Wm Preſly* and Mr *Tho: Hunt* come from ye houſe of Burgeſſes and deſire ye Lt Gouern^r^ to appoint Councel to ſwear their Clerk

The Lt Gouern^r^ acquaints ye Gent he would ſoon return an anſwer.

Ordered y^t^ ye Clerk carry ye following meſſage to ye houſe of Burgeſſes.

By The Lt Gouern^r^ & Councel.

Whereas ye Lt Gouern^r^ and Councel conceded, that Lt Coll *Thomas Milner*, late elected Clerk, by ye houſe of Burgeſſes ſhould be ſworne Clerk of this preſent ſeſſion of Aſſembly, but with ye reſeruation and proteſtation, that that admittance ſhould not be taken or allowed to be any Preſident for future Aſſemblies, whereby to pretend to or entitle ye Clerk of ye Houſe of Burgeſſes, by any other ſtile or title, then Clerk of ye houſe of Burgeſſes, in wch ye Lt Gouern^r^ and Councel doe declare, ye intent and meaning of y^t^ reſeruation and proteſtation was not deſigned, or intended, to bar or exclude ye houſe of Burgeſſes, in future Aſſemblies, or ſeſſions of Aſſembly's, to make claime unto right, or pretention of Right, they may in future Aſſemblies make, to haue their Clerk ſworne, or entituled, Clerk of ye Aſſembly, but y^e^ ſole intent and meaning of ye Lt Gouern^r^ And Councel, in y^t^ reſeruation and proteſtation (in y^t^ conceſſion) was to preſerue their own Right, if ye like debate ſhould ariſe, in future Aſſemblies, and *accordingly* ye Councel are ready to adminiſter ye Oath of Clerk of ye Aſſembly, unto ye aforementioned elected Clerk, according to ye Oath by ye houſe of Burgeſſes preſented

Edwd Chilton Cl Gen^ll^ Aſſ^bly^

*Die Martis 21° 9^bris^* 1682

The

The following meſſage ſent by ye Clerk
*M^r^* Speaker *and Gentlemen of ye houſe of Burgeſſes.*

I haue aſſigned Councel, to ſwear Lt Coll *Tho: Milner* Clerk of ye Aſſembly, *in terminis*, as by ye Oath by y^t^ houſe preſented; This conceſſion may ſufficiently aſſure of ye earneſt deſires and endeauoures I and ye Councel haue, y^t^ ye affaires of this Aſſembly may proceed, without heats, or endeauours of growing Intereſts, I therefore, Gentlemen, deſire and require you, euenly, ſeriouſly and diligently, to goe forward, in what I gaue you in charge, y^t^ wee may aſſure ye world, wee came here, with hearts and minds zealouſly bent, for y^e^ ſeruice of his Majeſty and ye good and welfare of this our Country.

Hen: Chicheley.

*Die Martis 21° 9^br^^is^* 1682

Coll *Joſeph Bridger* and Coll *Matthew Kemp* goe to ye houſe of Burgeſſes, and ſwear their Clerk according to ye following oath.

The Oath

You ſhall ſwear, as Clerk of ye Aſſembly of *Virginia*, to which office you are elected, juſtly and uprightly, to make true entries and journals of all uotes and proceedings, of y^e^ ſd Aſſembly, as from time to time, you ſhall receiue orders and directions from them, you ſhall keep ſecret all proceedings of y^e^ ſd Aſſembly, ſo far as ſhall by y^e^ ſaid Aſſembly be found neceſſary, and ſhall, in all things, to y^r^ beſt skill and judgment, diſcharge and execute y^e^ ſaid office and truſt of Clerk of ye Aſſembly

Soe help you God

Coll *Iſaac Allerton* with other members of ye houſe of Burgeſſes waite upon ye Lt Gouern^r^ and in behalfe of their whole houſe return his Hon^r^ thanks, for aſſigning Councel, to ſwear their Clerk & acquaint his Hon^r^ that their houſe would moſt uigorouſly proceed to ye Execution of what they had in Charge from him.

The following meſſage brought by Coll *Iſaac Allerton.*

Tueſday ye 21th *Nouember* 1682 *poſt meridiem*

A Committee appointed to conſider of propoſitions and greiuances

Coll *Iſaac Allerton* Chaireman

Coll *John Lear*	Coll *Tho: Brereton*
M^r^ *Wm Fitzhugh*	Mr *Hen: Jenkins*
Maj^r^ *Arthur Allen*	Mr *James Minge*
Coll *Arthur Smith*	Mr *Xpher Robinſon*

M^r^ *Wm Sherwood*

Mr *Tho: Blayton* is appointed Clerk of this Committee

Tho: Milner Cl of ye Aſſembly

*9^br^ 22^d^*

The Hon^rble^ Gouern^r^ is requeſted to aſſigne ſome of ye Hon^rble^ Councel, to aſſiſt this Committee

Tho: Milner Cl of ye Aſſembly

Coll *Wm Kendal* brings ye following

Tueſday Nouember 21^ſt^ 1682 *Poſt Meridiem*

A Committee for Private Cauſes

Coll *Wm Kendall* Chaireman

Coll *John Weſt*	Coll *Lemuel Maſon*
Coll *John Stone*	Coll *Wm Brown*
Coll *Danl Jenifer*	Mr *John Buckner*

Coll *James Powell*

*9^br^ 22^d^*

M^r^ *Wm Bolton* is appointed Clerk of this Committee

M^r^ *Wm Preſly* is added to this Committee

Tho: Milner Cl of ye Aſſembly

The Hon^rble^ Gouern^r^ is requeſted to Aſſigne ſome of ye Hon^rble^ Councel, to aſſiſt this Committee

Tho: Milner Cl of ye Aſſembly

Coll

Coll *Wm Bird* brings ye following paper.

Tuefday Nouember 21^ft 1682 Poft Meridiem.

A Committee appointed for ye examination of Publick claimes.

Coll *Wm Bird* Chaireman

Capt *John Langhorne* — Mr *Malachy Thrufton*
Mr *Charles Turner* — Capt *Antho Armftead*
Mr *Henery Awbry*

Capt *Wm Randolph* is appointed Clerk of this Committee

Tho: Milner Cl of ye Affembly

The Hon^rble Gouern^r is requefted to Affigne Councel to affift in this Committee

Tho: Milner Cl of ye Affembly

Ordered That ye Clerk carry ye following meffage to ye houfe of Burgeffes.

Die Mercurii 9^bris 22° 1682

By his Majefties Deputy Gouern^r

WHEREAS ye houfe of Burgeffes haue requefted, I would be pleafed to appoint fome Gent of the Councel, to fit and affift, in Committees, appointed by y^t houfe, wch requeft and motion, I haue fully and feriouſly aduifed and debated with ye Councel, I'ts thereupon found not agreable, to ye forme and manner of proceedings, in ye General Affembly, held by his Excellency ye Lord *Culpeper*, and that by ye fole act and option of ye then houfe of Burgeffes, as ye moft fit and expedient way, for y^t houfe to proceed in, as ye neareft to a Parliamentary way, & forafmuch as his Excellency, when he returned for *England*, gaue his Maj^ty, not only the then ſtate of ye Country, but likewife ye manner & forme of all Courts proceedings, of wch ye Gen^ll Affembly is ye higheſt, Its *therefore* neither fit, reſpectfull nor conuenient, to make any alteration, in ye manner and forme, of ye Generall Affemblies proceedings, nor to recede from any part of ye then preſent ſtate, untill ye arriuall of his Excellency ye Lord *Culpeper*, who is daily expected, I therefore doe remind you, of what Att our firſt meeting I gaue you in charge and deſire & require you, not to entertaine any buſineſſe, but ſolely to apply y^r ſelues thereunto, and this complyance I moſt earneſtly hope, expect and deſire from you.

Hen: Chicheley

The following meſſage brought by Coll *John Lear* and other members

To the K^t Hon^rble Sr Henery Chicheley *Kn^t his Maj^ties Lt Gouern^r and ye Hon^rble Councel of State.*

The humble addreſſe of ye houſe of Burgeſſes

May It Pleaſe y^r Hon^rs

In ye Hon^rble Gouern^rs anſwer this day receiued to ye humble requeſt of this houſe, y^t he would be pleaſed to appoint ſome Gent of ye Councel, to ſit and aſſiſt, in Committees appointed by this houſe, his Hon^r is pleaſed to ſay, I'ts not found agreable, with ye forme and manner of proceedings in ye General Aſſembly held by his Excellency ye Lord *Culpeper*, and y^t by y^e ſole Act and option of ye then houſe of Burgeſſes;

This houſe of Burgeſſes doe humbly conceiue, y^t Aſſemblies are not tied up, to all formes, eſpecially miſtaken ones, therefore, wee hope, y^t y^t late Preſident (if ſoe) becauſe wee want ye Journal of y^t Aſſembly cannot prejudice an humble requeſt, grounded upon an auntient uſage, hoping that ſuch our requeſt will not be taken, as unfit or diſreſpectiue carriage to his Excellency, whoſe ſpeedy arriual is daily expected and hoped for, and to whom wee Shall alwayes pay all dutifull reſpects and ſeruice, and y^t y^r miſtaken uote of one Aſſembly, and that ſeemingly paſs't, in compliancy with & obedience to ye direction and deſire of his Excellency, y^t in y^t ſeſſion noe priuate cauſe ſhould be medled with, cannot totally ouerthrow ye accuſtomed practice of all preceding Aſſemblies

Aſſemblies of hauing, upon humble requeſt of this houſe, Councel joined with their Committees, eſpecially that of Priuate Cauſes, and if his Hon^r pleaſe, in y^t of greiuances and propoſitions and the Committee of Claimes

Wee waite for ye arriual of his ſacred Majeſties Royal Commands and Inſtructions, to wch as wee euer haue, wee will euer giue ready Submiſſion, being well aſſured, that they will confirm thoſe juſt uſages and priuiledges, wch his Loyal (thô poor) ſubjects of this his Majeſties Dominion haue euer enjoyed, whereof that of appointing Councel, is a very great one.

The great trouble this houſe lay under, for ſeueral dayes was happily remoued, by his Hon^r ye Gouern^r and Councels Conceſſion to y^e ſwearing of their Clerk, and wee hoped that thereupon all obſtacles would be remoued, that ſoe as an eſſential part of this houſes buſineſſe (ye repreſentatiues of ye whole Country) wee might proceed, to enquire into, and endeauour ye redreſſe of their juſt greiuances in ye firſt place, as ye writt enjoines.

And It is a General Complaint, that ſeueral Priuate Cauſes haue depended ſeueral yeares unheard and undetermined, to their great charge and trouble, and therefore wee doe humbly pray, that for diſpatch of these concerning affaires, y^r Hon^r would pleaſe to Aſſigne Councel (ye want of wch muſt unauoidably retard our proceedings) to aſſiſt ye Committees, and att y^e ſame time ye Committee for claimes will uigorouſly endeauour, to ſettle that affaire, and wee hope by their proceedings together to giue a General ſatisfaction to ye Country & eſtabliſh a full and well ſetled peace, wch every good, Loyal, & unintereſted perſon prays for

Tho: Milner Cl of ye Aſſembly

Wednesday 22^d 9^br^ 1682 Poſt meridiem.

The Clerk carries ye following meſſage to ye houſe of Burgeſſes

Nouember 22^d^ 1682

By The Lt Gouern^r^ and Councell

*M^r^* Speaker *and Gentlemen of ye houſe of Burgeſſes*

The Addreſſe euen now receiued, from ye houſe of Burgeſſes, deſiring ſome members of ye Councel, to be appointed, to ſit & aſſiſt in Committees, It was yeſterday by a written meſſage from ye R^t^ Hon^rble^ ye Lt Gouern^r^ with ye aduice of ye Councel, to all parts Anſwered, to wch haue now only to add ye Aſſurance that they neither haue deſire, will nor inclination to inuade ye Rights of ye houſe of Burgeſſes, nor to encroach on ye minuteſt part thereof and as a teſtimony of ye reallity and y^e ſincerity thereof, I'ts deſired ye preſent debate of Councell to aſſiſt in Committees appointed, by ye houſe of Burgeſſes, be refferred to ye conſideration of ye next ſeſſions of Aſſembly, with this aſſurance y^t^ ye Lt Gouern^r^ and Councell will willingly and freely admit, receiue, hear and full anſwer make in all points to ye Arguments ye houſe of Burgeſſes ſhall then find fitt & neceſſary to offer thereon, upon wch Aſſurance giuen, ye Lt Gouern^r^ and Councel cannot doubt, but ye houſe of Burgeſſes will (as is earneſtly deſired) ſet themſelues ſeriouſly & uigorouſly to ye performance of ye diſcharge of thoſe chargeable affaires, att ye opening of this Aſſembly, was giuen in charge, without further inſiſting in this manner.

Edward Chilton Cl Gen^ll^ Aſſ^bly

[There is no heading here, but it is preſumed the proceedings of the 23rd begin at this point.]

COLL *Weſt* with other Gent from ye houſe of Burgeſſes preſent ye following meſſage

*To the R^t^ Hon^rble^ S^r^* Hen: Chicheley *Kn^t^ his Maj^ties^ Lt Gouern^r^ and ye Hon^rble^ Councel of State*

Wee his Maj^ties^ Loyal Subjects, ye Burgeſſes in this preſent Gen^ll^ Aſſembly aſſembled, ſince ye firſt of our meeting, haue deſired nothing more, then y^t^ wee might proceed on ye performance of thoſe Commands laid on us by y^r^ Hon^r^ and diſcharging ye truſt repoſed

repoſed in us, by ye Country, and to y^t^ end, amongſt other matters, wch are happily adjuſted and y^t^ conduce to our more orderly and regular proceedings, haue more, then once, become humble ſuitors, to y^r^ Hon^rs^ that you would be pleaſed to aſſigne, ſome of ye Hon^rble^ Councel, to aſſiſt att our Committees, wch our humble petition y^r^ Hon^rs^ haue not yet been pleaſed to grant.

This houſe hauing further ſeriouſly conſidered ye great neceſſity and Generall expectation of good and wholeſome Lawes, which are Requiſite to be made this ſeſſion for ye propagation & encouragement of uſefull manufactures and for ye aduancement (if poſſible) of ye ualue of Tobacco and diſcharging Publick Debts, doe therefore in all humility again importune and implore ye Hon^rble^ Gouern^r^ not to deny them ye aſſiſtance of ſome of ye Hon^rble^ Councel att our Committees, as hath been accuſtomed, that thereby wee may be ye better capacitated, to make a ſpeedy and effectual return, both to y^r^ Hon^rs^ Commands and our Countries expectation, in wch if wee ſhould be, by any meanes, obſtructed, wee much doubt it may be of euil and dangerous conſequence, wch God of his mercy diuert

Tho: Milner Cl of ye Aſſembly

Thurſday 23^d^ 9^ber^ 1682 *Poſt meridiem*

The Gent return
Coll *Allerton* preſents ye following meſſage

Poſt Meridiem. Thurſday Nouember 23^d^ 1682

*May it pleaſe y^r^ Hon^rs^*

The houſe of Burgeſſes hath often deſired, of ye Hon^rble^ Gouern^r^ to aſſigne Councell, to aſſiſt att Committees, and their applications ſeem hitherto obſtructed, thrô an apprehenſion, y^t^ by ye Act and option of ye houſe of Burgeſſes in 1680, noe Councel did aſſiſt, in their Committees, but thô this houſe is unhappy, thrô ye want of ye Journals and other proceedings of that Aſſembly, they doe, (by ye diligence of perſons appointed, to inſpect thoſe papers that were returned and relate to this houſe) find that his Excellency was pleaſed, then to appoint Councel, to aſſiſt in one of ye then Committees, who did aſſiſt accordingly, wch being conſidered, this houſe doth hope, they haue noe need to doubt y^r^ Hon^rs^ conceſſions, to their humble requeſts, in their former addreſſes.

Tho: Milner Cl of ye Aſſembly

---

*Die Veneris 24° 9^bris^* 1682

By The Lt Gouern^r^ and Councel

THE deſire of ye houſe of Burgeſſes, requeſting Council, to be aſſigned, to ſit and aſſiſt, in Committees, hath moſt ſeriouſly, deliberately and fully been conſidered and debated, with all eueneſſe, equality and reſolution of preſeruation of ye Rights and Priuiledges of ye houſe of Burgeſſes, as by ye aſſured teſtimony of Yeſterdayes reſponſe hath in full and plain words been expreſſed, from which well grounded reſolution, ye Lt Gouern^r^ and Councell out of Duty to our moſt Gracious Soueraigne, reſpect to his Excellency and honour and juſtice to themſelues cannot depart, for if ſhould Concede to any alteration, of ye forme and manner of Aſſ^bly^ proceedings, before receiue y^e^ ſignification of his Maj^ties^ will and pleaſure, it may juſtly be taken for an anticipation thereof

Gent, for ye inſtance of a paper, ſigned by Mr *Hartwell*, I'ts noe Preſident to y^r^ nature of y^e^ ꝑſent debate, y^t^ being only to draw into fit and ſuitable words an addreſſe, ye whole matter and ſence being before by ye Gouern^r^ Councel and Burgeſſes unanimouſly agreed on; This conſidered, It cannot be doubted, but you'l reſolue cheerefully, rigorouſly and aſſiduouſly, to performe ye matter giuen in charge, ye wch hath with all poſſible calmeneſſe, and deſire of reconciling words, been often put unto you, thô ye preſſing nature of ye affaire, being ye conſideration of ye greiuous burthen, our long

continuance

continuance muſt unauoidably draw on us, doth tell you, noe longer time ought to be loſt, and that its ſoe reſolued this returne Aſſures you, In wch I'ts moſt ſincerely wiſhed a happy correſpondency, that this our meeting may proue happy and ſuccesfull, to wch let all concerned ſay, Amen

Edward Chilton Cl Gen^ll Aſſ^bly

The Clerk carries ye aboue meſſage to ye houſe of Burgeſſes.

Poſt Meridiem

MR *James Biſſe* and Mr *Baldwin Shepherd* from ye houſe of Burgeſſes, acquaint ye Lt Gouern^r that their houſe is preparing a meſſage, wch ſhall be ſent within one q^rter of an hour.

The Gent return

Coll *John Lear* with other Gent preſent ye following meſſage from ye houſe of Burgeſſes

Fryday Nouember 24th 1682.

May It Pleaſe Y^r Hon^rs

The houſe of Burgeſſes hauing receiued y^r Hon^rs anſwer this day, to their many humble Supplications and addreſſes, concerning ſome of ye Hon^rble Councellours being joined, with ye Committees of this houſe, Agreed It ſhould be put to ye queſtion, whether ye Committees now appointed, by this houſe ſhall proceed without Councellours aſſigned, to ye examination and preparation of ſuch matters and things, as now lye before ye Aſſembly, and y^e ſd queſtion being Reſolued in ye negatiue, The houſe doth humbly offer, to y^r Hon^rs that they cannot with honour or Juſtice diſcharge ye truſt repoſed in them, by ye Counties, they repreſent, without ſuch addition of Councel, to ye Committees, by this houſe appointed, and therefore doe again moſt humbly ſupplicate and implore Y^r Hon^rs conceſſions, to their earneſt requeſts, y^t Councel may be aſſigned to them, according to ye auntient cuſtome, in ye proceedings of former Aſſemblies, for ye Speedy and more effectual diſpatch of ye matters and things, now lying before them, wch they doe with real and moſt Loyal hearts and minds zealouſly deſire to conſummate and finiſh, according to y^r Hon^rs deſires & their duty and doe again aſſure y^r Hon^rs that wee ſhall att all times humbly ſubmit to, and obey all his Majeſties Royall Commands, as becomes ye duty of faithfull and loyall ſubjects, being well aſſured, that his Majeſty will neuer deny nor abridge us of our auntient Priuiledges, nor of any fauours, his Majeſty indulged us, ſoe wee ſhall not be wanting, to giue that hon^r and dutifull reſpect, to his Excellency ye Lord *Culpeper*, and y^r Hon^rs att all times, as doth become us

Tho: Milner Cl of ye Aſſembly

---

*Die Saturni 25° 9^bris^* 1682

ORDERED that ye Clerk goe and acquaint Mr *Speaker*, that there is a meſſage preparing from ye Lt Gouern^r wch ſhall be ſuddenly ſent.

The Clerk carries ye following meſſage

*Die Saturni 25° 9^bris^* 1682

By The Lt Gouern^r and Councel

Mr Speaker *and Gentlemen of ye houſe of Burgeſſes*

Whereas many written meſſages, haue paſſed from ye Lt Gouern^r and Councel, to ye houſe of Burgeſſes and returnes from ye houſe of Burgeſſes, to y^r Lt Gouern^r upon ye debate of Councel, to joine in Committees, with ye houſe of Burgeſſes, *I'ts defired and propoſed*, that a conferrence be held, by ſome members of ye Councel wch ye Gouern^r ſhall appoint, with ſoe many members of y^r houſe of Burgeſſes, as they ſhall find fitt to appoint for y^e ſame, wch conferrence, is deſired, may this afternoon be held

Edward Chilton Cl Gen^ll Aſſ^bly

Capt

Capt *Antho: Armſtead* and Mr *Hen: Jenkins* from ye houſe of Burgeſſes wait upon yr Lt Gouernr and acquaint him ye laſt meſſage is willingly accepted, and deſire ye names of ye Councel he deſignes to appoint to hold ye conferrence, and ye time and place. 1676090 *By The Lt Gouernr*

I doe hereby nominate and appoint Mr Secretary *Spencer*, Majr Genll *Smith*, Coll *Joſeph Bridger*, Coll. *Richard Lee*, and Coll *Matt: Kemp* fiue of his Majeſties Councel of State, of this his Colony, to Hold a conferrence, with ſuch members of ye houſe of Burgeſſes, as they ſhall appoint, if poſſible to reconcile ye debate, relating to ye Councells aſſiſting ye Burgeſſes, in Committees, & yt ye ſame be held accordingly, att fiue of ye Clock, this afternoon, in Coll. *Joſeph Bridgers* Chamber.

Hen: Chicheley

Nouember 25th 1682

Die Lunæ 27o 9bris 1682.

COL *John Stone* and Mr *Tho: Barber* come into ye Councel, and deliuer ye following meſſage

To ye Rt Honrble his Majties Lt Gouernr and to ye Honrble Councell of State.

The members of this houſe appointed, to mannage ye conferrence, according to their duty, reported to this houſe, ye ſubſtance of yt debate and haue by their relation, giuen ye houſe ſome hopes of yr Honrs fauourable condeſcention to their juſt demands, wch wee, now hope, and moſt earneſtly deſire, yr Honrs will fully agree to, by ye immediate aſſignment of of ſome of ye Honrble Councel, to be joined to our Committees, who only waite that aſſignement, upon wch concurrence, wee ſhall not only thankfully acknowledge it, but doe aſſure yr Honrs that it is our hearty deſires and ſhall be our utmoſt endeauours, that nothing may or ſhall lye, in ye way further to obſtruct our ſpeedy and diligent proceedings, in ye weighty affaires of this meeting, aſſuring our ſelues, yt yr Honrs according to ye Rt Honrble ye Gouernrs firſt grant to our ſpeaker in behalfe of us all, doe not intend or will euer endeauour, to enfringe or take away our juſt and auntient Rights and Priuiledges

Tho: Milner Cl of the Aſſembly

monday nouember 27th 1682

The Clerk carries ye following meſſage 1281941

Die Lunae 27o 9bris

Mr Speaker *and Gentlemen of ye houſe of Burgeſſes.*

The Gent of ye Councel appointed to hold a conferrence with ſome Gent of ye houſe of Burgeſſes, on *Saturday* laſt, reported to ye Lt Gouernr and Councel, yt upon ye reſult of ye conferrence, ye Gent of ye houſe of Burgeſſes did offer and undertake, yt ye houſe of Burgeſſes would this morning, particularly repreſent, what matters lay before them, yt that houſe deſired this preſent ſeſſion to proceed on, wch accordingly by ye Lt Gouernr and Councel is expected and deſired, yt if poſſibly, it may be known, where demands will end, ſince in ye paper, euen now, receiued from you, you take noe notice of that Iſſue of yt conferrence, but ſay, thoſe members of ye houſe, wch managed ye conferrence, gaue hopes of a condeſcention to yr juſt demands, wch if, in themſelues, they were ſoe, would haue been, as ſoon granted, as asked, as by ye contant and continual aſſurance this meeting has giuen you.

Edward Chilton Cl Genll Aſſbly

Majr *Arthur Allen* with others from ye houſe of Burgeſſes preſent ye following meſſage

To The Rt Honrble his Majeſties Lt Gouernr and ye Honrble Councel of State

May It pleaſe yr Honrs

Wee doe with our great trouble conſider, that this is ye eighteenth day of our meeting together, in due obedience, to yr Honrs writt and for diſcharge of yt duty wee owe to his Majeſty, to our ſeueral Counties and to ye whole Country, whom Wee repreſent.

The charge is great, and in truth ye expectation great, it muſt be an unhappineſſe, that in things by ſome thought minute, an obſtruction ſhould be, in ye Aſſembly proceedings.

This

This houſe hath frequently declared their ready obedience to all Royall Commands, their dutifull reſpect to his Excellency, whoſe ſpeedy arriual is heartily prayd for, & our due ſeruice to y^r Hon^r and ye Hon^rble Councel.

But may it pleaſe y^r Hon^rs This houſe hath unanimouſly agreed, that they doe not think it expedient, to proceed without ye aſſiſtance of ſome of ye Hon^rble Councel with their Committees, wch would put them, upon a uigorous proſecution of ye Countries great and weighty concernes, & Wee hope by our ſtrenuous endeauours therein, to giue ſatisfaction to all Intereſts;

Therefore wee again humbly emplore y^r Hon^rs y^t ſome of ye Hon^rble Councell may be aſſigned, to aſſiſt ye Committees already appointed, by this houſe, wch hath been ye auntient uſage and practice in all Aſſemblies.

Tho: Milner Cl of ye Aſſembly

Monday 9^ber 27th 1682,

The Lt Gouern^rs anſwer followes

Die Lunae 27° 9^bris 1682

Mr Speaker *and Gent of ye houſe of Burgeſſes*

I haue often urged you, to proceed, on ye diſpatch of preſent urgent affaires, as are fit to be done, viz: ye laying of ye Leauy & to giue me y^r opinion, whether it be neceſſary to keep ye Forts up or diſmantle them, to wch you haue yet giuen me noe anſwer att all; y^r ſtay here hath been long, and (as you ſay) ye charge great, and had you proceeded, in ye diſpatch of what I haue Giuen you in charge, y^t part of ye Countries buſineſs had long ere this been finiſhed.

You often inſiſt for Councel to aſſiſt in y^r Committees, as if noe buſineſſe could be done, without their ſitting with you, when you uery well know ſeueral Aſſemblies of ye houſe of Burgeſſes haue ſate and prepared buſineſſe, without them, and thoſe things, ſoe prepared, haue been allowed of by ye Gouern^r and Councel and paſs'd into Lawes, and haue been, as good to all intents and purpoſes, as any Lawes, made with Councel aſſiſting ye Committees, particularly when his Ex^cy ye Lord *Culpeper* was here in 1680; I doe therefore recommend again ye points, I gaue you in charge, and if you think ye grieuances, you haue brought from y^r Counties, are of ſuch great concernment, that they cannot ſtay, till his Ex^cy ye Lord *Culpeper*s arriual, who wee euery day expect, I am willing then, you ſhould proceed on that alſoe, prouided you meddle not with anything, that lies before his Maj^ty remembring you ſtill, that they may as well be redreſs'd in y^t manner and way, y^r houſe proceeded, when his Ex^cy ye Lord *Culpeper* was here, and myſelfe with ye Councel will moſt readily conſider ſuch bills, as you ſhall prepare for redreſſe of them.

As to that you urge for Councel, to aſſiſt you, in priuate cauſes, that buſineſſe relating, but to few perſons, may be uery well defferred, till his Excellency ye Lord *Culpeper*s arriual, who, as I ſaid before, is euery day expected, & as that will be little prejudice to thoſe perſons concerned, ſoe wee ſhall gaine great aduantage, in ye diſpatch of thoſe matters (under y^r conſideration) of a higher nature and more publick; I doe therefore deſire and require you, to giue me y^r poſitiue anſwer without loſs of time.

Hen: Chicheley.

Die Martis 28° 9^bris 1682

COLL *Wm Kendall* and other Gent bring ye following meſſage into ye Court houſe and deliuer it to ye Lt Gouern^r

The meſſage followes

Tueſday Nouember 28th 1682

To The R^t Hon^rble his Majeſties Lt Gouern^r of Virginia

May It Pleaſe y^r Hon^rs

The houſe of Burgeſſes, after ſeuen, laſt night, receiued in a large meſſage, from y^r Hon^rs containing ſundry articles and particulers, wch being read and maturely and deliberately conſidered, doe in all humility reſolue to return this anſwer

1ly That ye laying of ye Leauy, hath in all former Affemblies been (as its moſt neceſſary it ſhould) ye laſt Act or cloſe of their Proceedings, and this houſe hauing euer ſince their meeting, upon juſt and mature reaſon, uſed their utmoſt endeauours for ye continuance and preſeruation of their auntient Rights, uſages and Priuiledges, it cannot be rationally expected, that they ſhould now diuert, from what they haue ſoe long and juſtly inſiſted on.

2ly That it is ye opinion of this houſe, y^t it is altogether unneceſſary, to keep up ye Forts any longer, ſince they are uery well aſſured, y^t ye charge is uaſt, ye General aduantage inconſiderable and ye end, for wch they were conſtituted, ye good of ye Publick, wholy peruerted, and drawen only to ſerue particular Intereſts.

3ly That our ſtay has been long and ye charge great were our own words, in our laſt meſſage, but with this addition, y^t ye expectation was alſoe great, for wch wee take ourſelues to be accountable and whereas y^r Hon^r hints, y^t had wee proceeded, to ye diſpatch of what was giuen us in charge, ye Countries buſineſſe had long e're this been finiſhed, y^r Hon^r may uery well remember, and our many reiterated Addreſſes will manifeſt, ye earneſt deſires and endeauoures of this houſe, uigourouſly to proſecute ye great and weighty affaires, y^t now lye before them, all wch might, as well, haue been proceeded on together, with as little expence of time, as any particular thereof, This being ye eight day ſince ye appointment of our Committees, euer ſince wch appointment, wee haue daily ſupplicated y^r Hon^r y^t Council might be aſſigned, to aſſiſt them, according to ye auntient uſages and cuſtomes of preceding Affemblies, and more particularly, on *fryday* ye 24th inſtant this houſe did reſolue, that they ſhould not proceed without Councel ſoe aſſigned and doe now again declare and reſolue, y^t they cannot, without a manifeſt uiolation of that truſt repoſed in them and betraying their Rights, liberties and priuiledges recede, from that reſolue, and therefore wee doe againe implore y^r Hon^r to aſſigne ſome of ye Hon^rble Councel, to our Committees, according to ye auntient uſage and cuſtome of Aſſemblies.

By order of ye houſe of Burgeſſes

Tho: Milner Cl of th' Aſſembly

Die Martis 28° 9^bris^ 1682

Ordered that ye Clerk carry ye following meſſage in anſwer to ye houſe of Burgeſſes laſt addreſſe

Mr Speaker *and Gent of the houſe of Burgeſſes.*

This afternoon I receiued from you, a written meſſage returned me, as you ſay, to my large meſſage, ye laſt night ſent you, ye lines in y^rs are many, thô not anſwering my expectation or deſire, I ask'd from you a particular return to all thoſe matters of moment therein contained, to all wch unleſſe It be that of ye Forts, you make one poſitiue anſwer, that you Cannot receed from y^r former Reſolues of Proceedings, without Gentlemen of ye Councel be appointed to aſſiſt in y^r Committees indeed y^r abſoluteneſſe might haue juſtly prouoked me, long ſince, to haue ended this our meeting, but that earneſt deſire I haue, that all matters might be accompliſhed, for wch conuened you, I haue with all poſſible moderation, receiued y^r return's, thô their language ſpeakes you abſolute, but to aſſure you of y^e ſteddineſſe of my affection unto you, I doe once more deſire and require you, to apply y^rſelues to ye performance of y^r duty to our Soueraigne Lord ye King and ſeruice of y^r Country for wch I called you together, and whereas you inſiſt to haue Councel aſſigned, to ſit and aſſiſt in y^r Committees (a way of proceeding ye y^rſelues departed from) though now preſſe a return of y^e ſame, you haue thereunto receiued my many anſwers and reaſons, why this preſent ſeſſions it cannot be admitted, and that with my tender care and reſeruation of all pretences of right and priuiledges of y^r houſe, ſoe y^t ye next ſeſſions of Aſſembly, you may reaſſume ye debate of Councel, to be aſſigned to ſit and aſſiſt Committees appointed by ye houſe of Burgeſſes, ſoe that if y^r Committees now proceed, without Gentlemen of ye Councel, aſſiſting in y^e ſame, It ſhall be noe bar to y^r future claime of proceeding by Committees conjoined: And Gent as to that particular part of Priuate Cauſes, wch you moſtly

inſiſt

inſiſt on, you now receiue ye word of him, whom his Majeſty hath been graciouſly pleaſed to dignifye with ye Supream authority, in this Colony in his Excellencies abſence, y^t^ if betwixt this time, and ye next ſeſſions of Aſſembly, his Majeſty ſhall not pleaſe to giue particular directions, in ye matter of Proceedings of Appeales in priuate cauſes to ye Aſſembly, then they ſhall be heard & determined by Councel aſſiſting in ye Committees after ye forme and manner of priuate cauſes, in Aſſemblies held before ye year 1680, and for y^r^ farther ſatisfaction ye Councel will willingly and readily join with me herein: As to ye Forts, you ſay its y^r^ opinion they are unneceſſary longer to be kept, but take noe notice, they were erected by a Law, and are not to be diſſolued, but by y^e^ ſame manner.

Gent You ſay ye laying ye Leuy is ye laſt matter or buſineſſe of an Aſſembly, it is ſoe, and its alſoe as certaine, ye Claimes and demands, from whence ye Leuy doth ariſe, ought to be timely taken under conſideration, eſpecially in this Aſſembly, being many and great, and will require a conſiderable time to aſcertaine them, y^t^ and all other matters of moment, I haue often intimated unto you, out of ye ardent deſire I haue that this our meeting may performe ye end for wch called, y^e^ ſeruice of his Majeſty and welfare of this our poor Country.

Hen: Chicheley

Some of ye Members of ye houſe of Burgeſſes preſent ye following meſſage to ye Lt Gouern^r^

To The Right Hon^rble^ his Majeſties Lt Gouern^r^ and ye Hon^rble^ Councel of State

The houſe of Burgeſſes wanting ſeueral papers of greiuances, propoſitions, claimes and other papers belonging to ye houſe, & Maj^r^ *Robert Beverley*, late Clerk of ye Aſſembly being ſent for in this houſe, to giue an Account thereof, hath informed this houſe, y^t^ he cannot ſatisfye ye houſe therein, without ſome time allowed him, to y^t^ end and informing this houſe, that by order of ye General Court, he is forthwith, in ye cuſtody of ye under Sheriffe of *York* County, to depart out of Towne.

The houſe of Burgeſſes doe therefore pray y^r^ Hon^rs^ y^t^ Major *Beuerley*, in ye cuſtody of ye under ſherriffe of *York* County, may be permitted to ſtay in Towne, till he hath giuen this houſe an Account, concerning y^e^ ſaid papers, wch ye houſe of Burgeſſes will take care ſhall be done with all poſſible expedition & diſpatch

Teſt

Tho: Milner Cl of th' Aſſembly

Thurſday 9^ber^ 30th 1682

The Clerk carries ye following meſſage in anſwer to ye laſt addreſſe

Die Jouis 30° Nouembris 1682

By ye Lt Gouern^r^ and Councel

Upon ye requeſt of ye houſe of Burgeſſes, Major *Robt Beuerley* is hereby permitted to ſtay in *James Citty*, untill ye morrow morning, to ye end he may ſatisfye ye houſe of Burgeſſes, ab^t^ ſuch papers, as they ſhall require of him

Edward Chilton Cl Gen^ll^ Aſſbly

The following meſſage brought by Coll *Lear* and others from ye houſe of Burgeſſes

Fryday 1^ſt^ December 1682,

*To ye Right Hon^rble^ S^r^* Henery Chicheley *Kn^t^ his Maj^ties^ Lt Gouern^r^ of* Virginia

*May It Pleaſe y^r^ Hon^rs^*

It is our duty, firſt with humble thanks, to acknowledge y^r^ Hon^rs^ fauourable conceſſions ye 29th of *9^ber^* in anſwer to our laſt humble addreſſe ye 28th of y^e^ ſame moneth and humbly begg pardon, y^t^ ye weightineſſe of ye concerne haue made our return (thô this houſe loſt noe time in ye conſideration of it) thus late.

*May It pleaſe y^r^ Hon^r^* It hath been fully debated and upon ye Queſtion put, Reſolued by this houſe, that they cannot recede, from their former ſupplications of hauing Councel, joined with our Committees, according to former uſages and therefore this houſe doth again humbly implore y^r^ Hon^r^ that Councel may be aſſigned, to aſſiſt ye Committees, by this houſe appointed, this preſent ſeſſion of Aſſembly and as wee

are

are ſo ſtrenuous, in ſupporting thoſe uſages, ſo wee will neuer defect from our Loyalty to his ſacred Majeſty, our duty to his Excellency ye Lord *Culpeper* and all due reſpect and ſeruice to y^r^ Hon^r^ his Excellency is hourely expected and by him his Maj^ties^ Inſtructors, to wch wee haue profeſſed and doe again declare, wee will ſhow all ready, humble and Loyal obedience, but till thoſe arriue ye houſe humbly implores Councel may be aſſigned, for this preſent ſeſſion, according to thoſe uſages, which will not only expedite ye moſt weighty affaires of ye Country (many of wch are already prepared) but wee hope, ſuit an happy iſſue to all our proceedings.

By order of ye houſe of Burgeſſes

Tho: Milner Cl of th' Aſſembly

Saturday December 2^d^ 1682

From The houſe of Burgeſſes

COLL *Lear*, Major *Allen*, Mr *Minge* and Mr *Hardridge* are deſired by this houſe to wait upon ye R^t^ Hon^rble^ ye Gouern^r^ and Councel to ſignifye to their Hon^rs^ y^t^ ye vote of this houſe, on *Thurſday* laſt coming in debate and it appearing that many of ye members were not well informed, in y^e^ ſtate of ye queſtion then put, It was agreed, by ye whole houſe, that ye queſtion ſhould be again put, and it was Reſolued (*nemine Contradicente*) in ye affirmatiue wherefore this houſe doth humbly pray their Hon^rs^ y^t^ ye addreſſe yeſterday ſent to their Hon^rs^ may be returned to this houſe and y^t^ y^e^ ſame may not be entred on y^r^ Hon^rs^ Journal

Teſt

Tho: Milner Cl of th' Aſſembly

The anſwer followes wch was ſent by ye Clerk

By The Lt Gouern^r^ and Councel

X^ber^ 2^d^ 1682.

Vpon ye requeſt of ye houſe of Burgeſſes, wee haue herewith remitted y^r^ Addreſſe of yeſterdayes date, and with this aſſurance (to ye intent it may euidently appear), how earneſt wee haue been, that this our meeting might proue Succeſsfull) that y^e^ ſame ſhall not be inſerted in our Journall

Edward Chilton Cl Gen^ll^ Aſſ^bly^

Some members of ye houſe of Burgeſſes bring ye following meſſage

December 2^d^ 1682

To The R^t^ Hon^rble^ his Maj^ties^ Lt Gouern^r^ and to ye Hon^rble^ Councel of State

The houſe of Burgeſſes doe return to y^r^ Hon^rs^ humble & hearty thanks, for y^r^ Hon^rble^ conceſſions to this houſe & requeſt this morning ſent to y^r^ Hon^rs^ by ſome of the members of this houſe, and whereas ye Right Hon^rble^ ye Gouern^r^ was pleaſed, in his moſt noble conceſſion, to this houſe of ye 28th day of *Nouember*, to offer his word, y^t^ ye Councel (for this houſes farther ſatisfaction) would willingly and readily, joine with his Hon^r^ in thoſe conceſſions; The houſe of Burgeſſes doe now moſt humbly pray, y^t^ ye Hon^rble^ Councel will be pleaſed to ſignifye their concurrences therein, with his Hon^r^ ye Gouern^r^ and this houſe ſhall then without any heſitation apply themſelues cheerfully, gladly and thankfully, to the diſpatch of thoſe concernes that lye before them.

Tho: Milner Cl of th' Aſſembly

The anſwer followes, wch was carried by ye Clerk

Die Saturni 2° X^bris^ 1682.

By The Lt Gouern^r^ and Councel

By ye meſſage, euen now, receiued, from y^r^ houſe, you expreſſe ye thankfull ſence, you rightly haue of ye conceſſion made on *Wednesday* to you, ye which wee will not doubt, but you'l ſoe uſe, y^t^ a perfect underſtanding may be between us, and ye better to confirme you in y^e^ ſame ye Lt Gouern^r^ and Councell doe now again aſſure ye houſe of Burgeſſes, y^t^ if betwixt this time and ye next ſeſſions of Aſſembly, his Majeſty ſhall not pleaſe, to giue particular direction in ye matter of proceedings of Appeales, to ye Aſſembly

bly, in priuate cauſes, that then they ſhall be heard and determined by Gentlemen of ye Councel conioined with Committees of ye houſe of Burgeſſes, after ye manner and forme of priuate cauſes, in Aſſemblies held before ye year 1680; Its deſired ye remembrance of much time loſt, may ſoe quicken us, that noe remoras [?] may be offered att, but by a future ſedulity ye laps'd time may be redeemed and matters expedited for wch conuened.

Edward Chilton Cl Gen^ll^ Aff^bly^

Major *Dale* and Mr *Thruſton* bring ye following meſſage

December 2^d^ 1682.

The houſe being informed that Major *Beuerley* ſtands obliged by bond to depart forthwith, for *middleſex* County doe humbly pray, y^t^ Major *Beuerley* may be permitted by their Hon^rs^ to ſtay in *James Citty*, till ye buſineſſe concerning ye books and papers, wch concerne this houſe, may be perfected:

And Maj^r^ *Dale* and Mr *Thruſton* are appointed to waite upon ye Hon^rble^ Gouern^r^ and Councel with this requeſt

Tho: Milner Cl of th' Aſſembly

The Clerk carries ye following paper

*Die Saturni 2do X^bris^* 1682,

By The Lt Gouern^r^ and Councel.

Vpon ye deſires of ye houſe of Burgeſſes that Maj^r^ *Robert Beuerley* may be permitted to remaine in *James Citty*, for perfecting ſome books and papers, wch ye houſe of Burgeſſes haue an occaſion to take an account of, and to be informed in, I'ts Admitted y^e^ ſaid Major *Robert Beuerley* doe remaine for a conuient time, to giue ſatisfaction in y^e^ ſame.

Edward Chilton Cl Gen^ll^ Aff^bly^

Capt *Armſtead* and Capt *Ball* preſent ye following meſſage

Saturday December 2^d^ 1682,

The houſe of Burgeſſes, as they haue already giuen the Hon^rble^ Gouern^r^ their humbly and hearty thanks for his moſt Hon^rble^ conceſſions and expreſſions of affections to this houſe, ſoe they doe now deſire and appoint Capt *Antho: Armſtead* and Capt *Wm Ball* to waite upon ye Hon^rble^ Councel to expreſſe ye gratitude of this houſe to their Hon^rs^ for their concurrence with ye Hon^rble^ Gouern^r^ in his conceſſions to this houſe.

Teſt

Tho: Milner Cl of th' Aff^bly^

Ordered That ye Clerk carry ye following meſſage to ye houſe of Burgeſſes

*By His Majeſties Lt Gouern^r^*

*M^r^* Speaker *and Gent of ye houſe of Burgeſſes*

I haue heard ſomewhat of a petition, in y^r^ houſe preſented, by Major *Robert Beverley*, highly reflecting, both on ye honour and juſtice of myſelfe and ye Councel, in wch will not doubt y^r^ willingneſſe, in what lies in y^r^ parts, to doe us right, I therefore deſire you'l ſend me ye petition, which when peruſed and conſidered, I will order its return unto you.

Hen: Chicheley

The petition of Maj^r^ *Beverley* brought by ſome of ye Burgeſſes.

The petition returned by ye Clerk

---

*Die Mercurii 6to X^bris^* 1682,

*By his Majeſties Lt Gouern^r^*

*M^r^* Speaker *and Gent of ye houſe of Burgeſſes*

AS, upon all occaſions, ſince our preſent meeting, I haue been open, free and communicatiue unto you, ſoe y^r^ ſame freedom I ſhall continue, and as an Inſtance thereof, you receiue this, to acquaint you, that yeſterday I receiued by Capt *Morgan*, a letter from his Excellency ye Lord *Culpeper*, writt in y^e^ *Downes* ye 2^d^ of *October*, by wch his Lordſhip advizes me of his firme reſolution, to ſaile ye next morning, and hoped to be in as ſoon, as y^e^ ſhip which brought his Lordſhips letter,

letter, wch principally conſiſts of two parts, and thoſe ſoe inſeparable, that they may be taken for one, ye one being ye efficient cauſe of ye other, ye Adjourment of our preſent meeting, until ſome conuenient time in *March* next, in wch his Lordſhip ſayes, for ye better execution of his Majeſties Inſtructions, for y^e^ ſeruice of his Majeſty and this Country his Lordſhip deſires ye adjourment: to w^ch^ (as i'ts my duty) I ſhall alwaies be moſt ready, to yeild all due obedience, but in this our preſent juncture, I conſider ye progreſſe of affaires, towards ye compleating this a ſeſſion, as alſoe ye weighty conſideration of diſcharging our Publick charge contracted and ye keeping up or diſmantling our Ports, wch I earneſtly deſire you'l expedite, as alſoe ſuch other bills, wch att preſent you haue under y^r^ conſideration and that all affaires relating to this Country lying before his Majeſty or that relate to his Excellency, I deſire you will not intermeddle with nor ſpend time, in debating or conſidering thereof, but wholy reffer them, untill ye arriual of his Excellency, when all matters of that weight and concerne may be fitly tim'd, ye already long time ſpent and the ſeaſon of ye year, with great earneſtneſs preſſes for diſpatch, wch I doubt not our preſent concurrence and ſedulity will in a ſhort time accompliſh to our Gen^ll^ ſatisfaction.

Hen: Chicheley

The Clerk carries ye aboue meſſage

M^r^ *Wm Preſly* with others from ye houſe of Burgeſſes preſent ye two following meſſages.

*To The R^t^ Hon^rble^ his Maj^ties^ Lt Gouern^r^*

The houſe of Burgeſſes doe humbly ſignifye to y^r^ Hon^r^ that as they haue not entred, upon any of thoſe matters, intimated to them, by y^r^ Hon^r^ to lye before his Majeſty, ſoe they ſhall in their future Proceedings, auoid ye fame and uſe their utmoſt endeauours with great carefulneſſe to expedite and finiſh thoſe things, they haue now made ſome progreſſe in, wch they hope ſhall be ſoe diſpoſed, as this houſe ſhall to their great joy and ſatisfaction find y^r^ Hon^rs^ and Councels cheerful concurrence with them and in all other matters, with patience attend his Excellencies Arriual, wch is with all joyfulneſſe expected.

Tho: Milner Cl of th' Aſſembly

December 6th 1682

*Wednesday X^ber^* 6th 1682.

Reſolued and ordered that all priuate cauſes by appeale, now depending before ye Aſſembly ſhall be and are refferred to ye next ſeſſions of Aſſembly and ye houſe of Burgeſſes doe pray ye concurrence of ye R^t^ Hon^rble^ Gouern^r^ and Councel with this houſe therein.

Tho: Milner Cl of th' Aſſ^bly^

---

*Die Veneris 8° X^bris^* 1682

By The Lt Gouern^r^ and Councel

*M^r^* Speaker *and Gent of ye houſe of Burgeſſes*

THE Lt Gouern^r^ and Councel hauing read ye Reſolue of ye houſe of Burgeſſes dated y^e^ ſixth inſtant, are equally content, that all priuate cauſes by appeal be refferred to ye next ſeſſions of Aſſembly.

Edward Chilton Cl Gen^ll^ Aſſ^bly^

Coll *Wm Kendall*, Coll *Tho: Brereton*, and Lt Coll *Arthur Smith* preſent ye following acts to ye Lt Gouern^r^ & Councel for their aſſent *viz*

An Additional Act for ye better preuenting ye Inſurrections by Negroes.

An Act declaring Indian women ſeruants tythable

An Act for diſbanding, ye preſent ſoldiers, in Garriſon in ye Forts att ye heads of y^e^ ſeueral riuers, as alſoe for ye raiſing of other forces in their ſtead.

An Act repealing a former Law making Indians and others free.

All

All affented too

Coll *Wm Kendall* and M^r *Wm Hardridge* preſent ye following Acts for approbation

An Act directing how Commiſſions of Dedimus Poteſtatem *and other writs ſhall iſſue*

Affented too

An Act declaring ye Lawes made by ye Aſſembly to be in force.

The act returned with ye following anſwer

This Act relating to his maj^tys moſt immediate authority, Its moſt agreable, to be refferred, to ye conſideration of ye next Aſſembly, and then by an humble addreſſe to ſupplicate his Majeſty in y^e ſame.

An Act declaring ye meaning of ſome words, in his Maties charter, dated ye tenth day of October *1676 and aſcertaining ſeueral dues and fees of officers about Eſcheats of land*

The act returned with ye following anſwer.

His Excellency ye Lord *Culpeper* being daily expected, fully inſtructed in his Majeſties will and pleaſure, in all affaires of this Colony, and this of Eſcheats being a royal Grant, Its therefore moſt fit, to be refferred to ye conſideration of ye next Aſſembly, when wee ſhall haue unerring grounds, from whence to draw Concluſions.

An Act prohibiting ye exportation of any Iron, Wool, Woolfells, skins, hides or leather.

December 8th 1682

Affented too

Mr *James Minge* &c from ye houſe of Burgeſſes preſent ye following meſſage

Fryday December 8th 1682

The houſe of Burgeſſes hauing heard, that his Maj^ty hath been pleaſed ſometime ſince to ſignifye his royall Pleaſure, into this his Country, that ye putting in execution ye Act of Aſſembly of *June* 1680, for Cohabitation be att preſent ſuſpended, till his Majeſties Pleaſure be further known therein, doe humbly pray y^r Hon^rs that you will pleaſe, to tranſmit his Maj^ties order or Inſtructions, concerning y^e ſame, into this houſe to ye end y^e ſame may be publiſhed, for y^e ſatisfaction of his Majeſties ſubjects ye Inhabitants of this Country

Tho: Milner Cl of th' Aſſembly

The Clerk carries ye order of ye King, in Councel, for y^e ſuſpention of Townes and preſents y^e ſame to Mr *Speaker*

---

*Die Saturni X^bris 9°* 1682,

COLL *John Stone* and others preſent ye following meſſage from ye houſe of Burgeſſes

May It Pleaſe Y^r Hon^rs

Vpon conſideration of ye petition of Capt: *Thomas Gardner* and an order of ye Aſſembly, held att *Green Spring*, ye 20th day of *February* 1676, by which y^e ſaid *Thomas Gardner* was ordered, to be paid y^e ſumme of twenty fiue pounds *Sterl*, out of ye eſtate of *Giles Bland*, wch he neither hath, nor could by any meanes obtaine, and ye houſe of Burgeſſes being uery ſenſible of ye conſiderable ſeruice done to his Majeſty and this Country, by y^e ſaid *Gardner*, in ye late unhappy diſtractions, doe recommend ye merrits and ſufferings of y^e ſaid *Gardner* to y^r Hon^rs and doe therefore pray y^r Hon^rs to take it into y^r ſerious conſideration and that he may be ordered and paid y^e ſaid twenty fiue pounds *ſterl*, out of ye two ſhillings ℔ hhd, and ſuch farther reparations or gratuity, as ye Hon^rs ſhall in y^r Judgements think proportionable to his merrits and ſufferings

Tho: Milner Cl of th' Aſſembly

The anſwer followes, carried by ye Clerk

December 9th 1682

By his Majeſties Lt Gouern^r and Councell

Mr Speaker *and Gent of ye houſe of Burgeſſes*

The houſe of Burgeſſes hauing declared their opinions, on ye petition of Capt *Thomas Gardner*, that his merrits, deſerts and ſufferings of him y^e ſaid Capt *Thomas Gardner*,

Gardner, for his Majeſty and this Country, in our late Rebellion, is moſt fit to be conſidered, and finding ye twenty fiue pounds ordered to be paid out of Mr *Giles Blands* eſtate, wch by its inſoluency is not to be had, and therefore haue propoſed and deſired it may be paid, out of ye two ſhillings ℔ hhd, in wch ye Councel to manifeſt their deſires, and as far as in them lie's, that noe ſuch ſeruices, may paſs unrewarded, haue agreed and granted, that Mr Auditor *Bacon* doe pay unto Capt *Thomas Gardner*, twenty fiue pounds *ſterl*, out of moneys due, in payment to be made to them as Councellours, and doe recommend y^e^ ſeruices and ſufferings of Capt *Thomas Gardner* to ye conſideration of ye houſe of Burgeſſes, for ſuch further allowance in Tobaccos, as they ſhall find agreable, for ſuch like gratefull and faithfull ſeruices, performed for this our Country

Edward Chilton Cl Gen^ll^ Aſſ^bly

Some of ye Burgeſſes preſent ye following meſſage

Saturday X^ber^ 9th 1682

*May It Pleaſe Y^r^ Hon^rs^*

By y^r^ not aſſenting to this Act, all ye reſt of ye Acts, by y^r^ Hon^re^ already aſſented too this ſeſſion, as alſoe thoſe Acts you ſhall hereafter aſſent too, are certainely and abſolutely rendred inuallid and of noe force, and wee muſt of neceſſity conclude, if this Act be not aſſented to by y^r^ Hon^rs^ y^t^ wee neither can at preſent proceed, nor now haue wee, nor ſhall hereafter haue any lawes in this Country to be gouerned by, till after ye next Aſſembly ſhall make their humble Addreſſe to his Majeſty and haue his Majeſties royall will and pleaſure in order thereunto returned hither, and further may It pleaſe y^r^ Hon^re^ ye words in this Act are, that ye Lawes and acts of Aſſembly &c doe & ſhall continue in force &c and ought to be punctually obeyed &c untill ſuch Lawes ſhall be diſſolued, by his Majeſty, wherefore ye houſe of Burgeſſes doe humbly pray y^r^ Hon^re^ to aſſent to this Act, as it is now preſented

Tho: Milner Cl of ye Aſſembly

Some of ye Burgeſſes preſent ye following meſſage

Monday ye 11th X^ber^ 1682

The houſe of Burgeſſes, hauing receiued Information, that there are now, on Capt *Benjamin Halls* ſhip in *Warriſquiack* bay, a uery conſiderable quantity of skins, to ye quantity of twenty hhds, to be exported, contrary to ye intent of ye Law made att ye Aſſembly held in *June* 1680

The houſe doe humbly pray y^r^ Hon^r^ to iſſue out a warrant directed to ye Sheriffe of y^e^ *Iſle* of *Wight* County or ſuch other perſon, as y^r^ Hon^r^ ſhall think fitt to ſerch y^e^ ſ^d^ ſhip & to ſeize all ſuch hides, skins or prohibited goods, as ſhall be there found and that ſuch proceedings may be thereupon had, as ye Law directs

Tho: Milner Cl of th' Aſſembly

The addreſſe granted

Coll *John Lear* & Coll *Arthur Smith* preſent ye following meſſage

Monday 11th 1682 X^ber^

The Counties of *Nanzemond* and *Iſle* of *Wight* amoungſt other their greiuances ſent by their Burgeſſes to this preſent Aſſembly haue complained, that there is due to diuers of ye Inhabitants of y^e^ ſaid Counties, diuers ſummes of moneys for quarters of ſoldiers upon them in ye year 1677, belonging to Major *Motleys* Company, according to y^e^ ſeueral accounts thereof ſtated and ſigned by Capt *Tounge* and ſome of ye Juſtices of each County in *January* 1677 and forafmuch as his Excellency ye Lord *Culpeper*, att ye beginning of ye Aſſembly 1680, was pleaſed to take notice thereof, and promiſed his particular care, for ye payment thereof and his Majeſty hauing ſent in money, for ye paying ye Soldiers wages, ye houſe of Burgeſſes doe hope his Majeſty hath alſoe ſent in, moneys, for ye payment of ye Quarters of y^e^ ſaid Soldiers and doe therefore pray y^r^ Hon^re^ that you will pleaſe to take y^e^ ſame, into y^r^ conſideration, that ye Inhabitants of y^e^ ſaid Counties may be paid, what is their juſt dues, for y^e^ ſaid Soldiers quarters, according to his Excellencies promiſe, and their juſt hopes and expectations

Tho: Milner Cl of th' Aſſembly

The

The Lt Gouernr acquaints them, that ye fame was repreſented to his Majeſty, whoſe anſwer he ſuddenly expected in, with ye arriual of his Excellency ye Lord *Culpeper*.

A meſſage from the houſe of Burgeſſes by ſome of their members

Munday Decembr 11th 1682 *poſt Meridiem*

May it pleaſe yor Honrs

Mr *Speaker* hauing acquainted this Houſe yt yor Honrs had ſigned a warrant directed to *Robt Bradley*, according to ye Houſe's humble requeſt to yor Honrs for ye ſearching Capt *Halls* ſhip for skins, and Mr *Speaker* was Informed by ye Clerke of ye Councill that yor Honr had been pleaſed to Call in yt warrant againe, noe particular perſon being appointed to proſecute. The Houſe of Burgeſſes doe *therefore moſt humbly ſignifie* to yr Honrs yt upon the Reputable Informacõn of ſome Members of this Houſe they did in the name of themſelves, and of the whole Coñonality of *Virginia*, giue in this Information to yor Honrs, and will appoint ſome particular perſons to proſecute the ſame, and doe humbly deſire an iñediate Execution of yor Honrs Writt by yor Honrs Command.

Tho: Milner Cl Aſſembly

December 12 1682

ORDERED yt ye Clerk Carry ye following Meſſage to ye Houſe of Burgeſſes.

By his Majties Lt Gouernr & Councill

Mr Speaker *and Gentn of the Houſe of Burgeſſes*

That this His Majties Country from it's firſt ſeateing to this day hath beene Gouerned (and that by a Royall Grant) by Orders Proclamacõns and Acts of Aſſembly, all Auncient as alſo preſent Records doe teſtifie, to the preſervation of ye Rights & properties of euery Individuall perſon here Inhabiting, and that all Acts of Aſſemblys iñediately after the promulgation thereof, haue beene held deemed and adjudged to be of Executiue force, the practice of all Courts for a Continued ſucceſſion of yeares hath ſo declared. unleſs in Acts limiteing time for their Coñencemt or that his moſt ſacred Majty hath been pleaſed to ſignifie his Nullification of them, and of the ſame force and efficacy we hold them ſtill to be, that equall Juſtice both to ffforraigners and Domeſticks by ye lawes of this Country hath beene Speedily adminiſtred to the great Honr of this Country is in all parts with whome we haue any Coñerce often ſo declared, and if all former Acts of Aſſemblies had not had ye forece power and ſtrength of Lawes wthout being reinforced by this Declaratory Act, where his Majty hath not beene pleaſed by his Royall Authority to declare them void, then by ye ſame meaſure, this Declaratory Act now in debate cañot be of any greater force, ſtrength, or validity, then lawes formerly made ſince there hath beene one and the ſame Authority and Conſtitution in makeing all former Acts of Aſſembly, as now at preſent is in this propoſed declaratory Act, therefore let us not Catch att ye ſhadow and Hazard ye ſubſtance.

Gentn. we dayly expect ye arrivall of his Excellency ye Lord *Culpeper* who undoubtedly in few moneths after his arrivall will Convene an Aſſembly if upon due Conſideracõn then had, it ſhall be found not only fitt but neceſſary That all our Lawes be reuiſed, and by an humble adreſs preſented to his Majty imploreing ye royall aſſent to them as alſo yt his Majty will be graciouſly pleaſed to grant that ye Acts of Aſſembly wch ſhall be futurely made may be held deemed and adjudged to haue ye full force and ſtrength of Lawes untill his Majty ſhall be pleaſed to make them void, in ſuch an adreſs the Lt Gouernr and Councill ye next Aſſembly will readily Concurr with the Houſe of Burgeſſes.

And *whereas* it's ſaid many ill diſpoſed perſons haue preſumed to ſpeake Contemptuouſly of our Lawes, queſtioning ye validity thereof, the Lt Gouernr and Councill doe here *Declare* yt it's ye duty of euery Magiſtrate to Convince ye unbeliefe of ſuch euill and ill diſpoſed ℘ſons of ye power & efficacy of our Lawes, by ſtrictly executing ye Lawes on ſuch Offenders.

Edward Chilton Clerk of ye Genll Aſſembly

Coll

Coll *Arthur Smith* and Mr *Henry Jenkins* bring the following Act for approbation
An Act Repealeing an Exception in ye ninth Act of Affembly made in Anno. *1664.*
An Act Repealeing ye Sixth Act of Affembly Anno. *1680 about Attorneys.*
An Act y^t^ witneffes be free from Arrefts.

All affented too.

An Act for ye Encouragement of ye Manufacturies of Linen and Woolen Cloth

Affented to, but propofe that ten pounds of tobacco be allowed for euery well made & wrought Hatt in this Country, and twelue pounds of tobacco for euery dozen of mens and weomens woollen or worfteed Hofe, Spun and Knitt here.

An Act Declareing ye meaneing of fome words in his Maj^ties^ Charter dated ye tenth of October *1676, & afcertaining feuerall dues and ffees of officers about Efcheates of Land.*

The anfwer followes

Efcheates are an inherent Right of the Crown, & not to be limited otherwife then his Maj^ty^ fhall be graciouſly pleafed to grant them, therefore ought not to offer to extend ye Royall Grant of Efcheates, or by Act of Affembly to put it into other words, then ye Royall Charter expreffes it felfe by, the Act for Efcheates now propofed, and granted Efcheates as thereby ftated is without ye expreſs words of ye Charter, *it's therefore defired*, we doe not offer att fuch prefumptions, but referr ye Confideracon thereof to ye next Affembly, for then we may expect ye fignification of his Maj^ties^ Will and pleafure in all affaires of this Collony, & in the *Interim* Mr Secretary *Spencer*, who is Impowered by his Excellency the Lord *Culpeper* to grant Efcheates, doth promife that noe Grants fhall pafs in Efcheates, untill the arriuall of his Excellency ye Lord *Culpeper* and to ye Intent noe pretenfions of Right to Efcheates may be wronged. *It's agreed* that Entries by Caueats may be, in ye fame ſtate as before the office was open in y^t^ Concerne.

As to that part of this Act, directing how Debts Contracted before the makeing and Publication of this Act fhall be paid it's unprecedentiall, for a Law made *poſt factum* cañot ſo extend itſelfe to include debts or other perſonall accounts made & done before ſuch a Law, had life or being, & though in this Act it may be ſaid, it doth not poſitiuely looke back, yet it is ſo little different in effect, that it's equally hard and bitter, requireing to forbeare receiueing debts for one yeare, or if ye Creditor will by Law force ye payments of his due debts, then to be paid and ſatisfied in Comodities att rates in this Act expreſſed, & in noe other Comodities, directly ag^t^ ye Right of an Act of Affembly made in *Anno* 1663 entituled *An Act for permitting ꝑſons ũder execution to redeeme their Bodies by their Eſtates*, in wch is reaſonable proviſion made for ye reliefe of Debtors

In all parts either ſelling or buying pipe ſtaues ye tole alwaies goes att ye number of ſix ſcore to ye Hundred, & att ye Number of ye Kings Book of Rates, they are ſo ſettled. It's therefore propoſed pipe ſtaues be expreſſed by ſix ſcore to ye Hundred, it's fitt to be expreſſed that this Act doth not intend to Include the payments of Quitt rents, but that his Maj^ties^ Rents be paid as formerly, theſe parts being amended

This Act is affented to.

Ordered that the Clerk carry ye foregoing Acts and anſwers to the Houſe of Burgeſſes, and deliuer them to Mr *Speaker.*

Coll *Tho: Brereton* and Lt Coll *Arthur Smith* preſent ye whole acco^t^ of ye Publique Debts

---

14th *December* 1682

COLL *Wm Kendoll* Coll *Wm Bird* and Mr *Thomas Clayton* waite upon ye Gouern^r^ and Councill, and deſire them to expedite Capt *Hall*, and diſcharge him from what skins were ſeized on Boord his ſhip

Ordered that the Clerk waite upon the houſe of Burgeſſes and enquire of them whether they know or not that Mr *Herbert* Mr *Bullens* ffactor has any advice of the skins being ſeized wch he Conſigned to Mr *Bullen*, as likewiſe to tranſmitt y^e^ ꝑticular acco^t^

accoᵗˢ how yᵉ Coñanders and ſoldiers of yᵉ Reſpectiue Garriſons haue been paid to yᵉ intent it may appeare what Credit yᵉ Country has had for yᵉ time yᵉ Kings ſoldiers were att yᵉ Garriſons.

The Clerk proceeds and deliuers his Meſſage.

The Clerk Returnes.

Coll *Wᵐ Brown* and Mʳ *Edward Revel* waite upon the Gouernʳ and deſire him to Iſſue forth his ſuñons for Mʳ *John Herbert*'s perſonall Appearance to anſwer for ſhiping Buck and Doe skins.

The Lᵗ Gouernʳ acquaints them that he will grant their requeſt and order a Suñons to be prepared.

The Gentᵟ. returne

Ordered that the Clerk goe to the Houſe of Burgeſſes and deſire that their Clerk may be ordered to Returne a Liſt of Tythables to be Recorded in yᵉ Secretaries Office

The Clerk returnes and brings a Liſt

Mʳ *Arthur Allen* Capᵗ *Anthony Armeſteed* and Mʳ *Henry Jenkins* preſent yᵉ following Act for the Gouernʳs and Councells aſſent.

An Act for yᵉ Advancement of Manufacturies of yᵉ growth of this Country and for the better & more ſpeedy payment of Debts and Levies.

The Gentᵟ returne

Ordered that yᵉ Clerk returne the Act with yᵉ following Additions.

In this Act it's fitt to be provided that if yᵉ Debitor make tender of payment of his Debt in yᵉ Commodities in this Act ſpecified, that then the Creditor if in this Country, to haue timely notice giuen him by yᵉ Debitor of his Intentions in theſe mañers of payments that yᵉ Creditor may provide for yᵉ ſecurity of the ſame, and in Caſe yᵉ Creditor be not a liuer in the Country that then his Attorney haue timely Notice thereof.

In this Law it ought to be declared yᵗ it doth not in any waies intend his Majᵗⁱᵉˢ Deeds & Cuſtomes be paid in payments otherwiſe then by former Lawes Eſtabliſhed.

The Clerk Returnes.

Coll *William Bird*, Mʳ *William Fitzhugh*, and Capᵗ *John Langhorne* come in, and preſent the accounts how the Reſpectiue Coñanders and Soldiers of the Garriſons haue beene paid, as the Leivᵗ Gouernʳ and Councill deſired.

The Gentlemen returne.

Majʳ *Edward Dale* and Capᵗ *Wᵐ Ball* preſent the following Act with amendments, which is aſſented to.

An Act for the Advancement of Manufacturies &c:

The Gentᵟ: Carry the Act back.

Mʳ *James Minge* &c: preſent the accoᵗ of Runawaie's.

Ordered that the Clerk Carry the Accoᵗ of the Publique Creditt to the houſe of Burgeſſes, with the following directions and Exceptions.

December yᵉ 14ᵗʰ 1682

His Majᵗⁱᵉˢ Attorney Genˡˡ is an Officer moſt neceſſary and hath in all former Aſſemblies beene Allowed by the Publique, it's therefore reaſonable the preſent Attorney Genˡˡ be allowed as others in the ſame Nature Commiſſionated being four thouſand pounds of tobacco ℔ *Annu* which Rate ſlenderly payes the Charge of his Attendance in Town.

Henry Newcomb was in former yeares found ſo Notoriouſly villanous, that he was for euer rendred unfitt to ſerve in that Capacity, as by his Bond herewith ſent doth appeare, but if the houſe of Burgeſſes doe know of any ſervice by him done, for which not ſatisfied, it's deſired to be ordered proportionably for what due.

The allowance giuen to Mʳ *Richard Littlepage* for pretence of more tythables returned then in the County, is unpreſidentiall, and if now allowed will open a Gapp of great trouble to future Aſſemblies.

The houſes att the Middle plantation in which his Majeſties Powder is kept, cañot be diſcharged, untill the arrivall of his Excellency, who will direct for the diſpoſall of the Powder.

It's

It's found Reaſonable Capt *Wm Armiger* be allowed att leaſt three thouſand pounds of Tobacco witn Cask for the uſe of his Roomes more then in the ſtate of Claimes is allowed.

The Deſerts of Mr *Speaker* are very greate and allowances ſhould accordingly be offered, but the preſent meanneſs of our Condition, requires our beſt huſbandry, and therefore doe deſire it may be Conſidered, that *Aprill* Aſſembly did Continue but eight dayes, and therefore doe propoſe fifteene thouſand pounds of Tobacco with Cask be allowed Mr *Speaker*.

Majr *Beverley* is allowed twenty thouſand pounds of Tobacco for his ſervice as Clerk of the houſe of Burgeſſes in *Aprill* laſt, which was prorogued in eight dayes after it's firſt Meeteing, and according to that time he ought to be allowed, which may be ſix thouſand pounds of tobacco, and for his attendance this ſeſſions it was in order to his own affaires, as he himſelfe by his Petition expreſſed, therefore it cañot be thought reaſonable to be allowed by the Publique for being in *James Town* onely to attend the management of his ꝑticular Concernes

To *Edward Chilton* Clerk of the Genll Aſſembly for *Aprill* Aſſembly and this preſent Aſſembly fifteene thouſand pounds of Tobacco with Cask, being proportionably to what was allowed, when his Excellency the Lord *Culpeper* was here.

The Clerk returnes the accot of the Runawaies.

December 15th 1682

COLL *Lemuell Maſon* and Capt *Anthony Armeſteed* preſent the following Meſſages.

December 15th 1682

For aſmuch as by the third Act of Aſſembly of the eight of *June* 1680 there is Raiſed a Publique Revenue for the Maintenance of ſeverall officers, of which officers this houſe doe Conclude Mr *Edmund Jennings* his Majties Attorney Genll for this his Dominion to be one.

This Houſe doe therefore *Reſolue* that the ſaid Attorney Genll ought to be paid his ſallery and allowance out of the Publique Revenue, raiſed by the ſaid Act of *June* 1680, and not out of the Publique Levy

Tho: Milner Cl Aſſembly

Decembr 15th 1682.

The Queſtion being putt whether the Reſolue of this houſe of the 15th Inſtant concerning the Attorney Genlls allowance ſhall be Confirmed or noe.

Reſolued in the affirmatiue that the Reſolue of ye 15th inſtant be Confirmed.

The Queſtion being putt whether *Henry Newcomb* as Interpreter ſhall haue any allowance from the Publique.

Reſolued and ordered that *Henry Newcomb* ſhall not be allowed any thing as Interpreter from the Publique, which Reſolue is grounded upon a Bond ſent to this Houſe from the Honrble Gouernr and Councill, by wch he is rendred uncapable to ſerue the Country as Interpreter.

Reſolued that the name of *Henry Newcomb* be obliterated in the Journall of this Houſe *December* ye 13th and the name of *Richard Waſhington* of *Surry* County inſerted in the ſteed thereof for an Interpreter for ye future.

It being debated whether the allowance to Mr *Littlepage* Sheriff of *New Kent* for tythables ouer charged on the ſaid County *Ano* 1680 ſhall ſtand or noe.

Reſolued that it doe ſtand the juſtneſs of his Claime haueing beene authentically proued to this houſe.

The Queſtion being putt whether there ſhall be three thouſand pounds of tobacco added to the allowance of Capt *Wm Armiger* or noe.

Reſolued it ſhall be allowed.

The houſe doe *Reſolue Nemine Contradicente* to Confirme the allowance of twenty thouſand pounds of Tobacco & Cask to Mr *Speaker*.

Upon

Upon ſerious debate and Conſideracõn of the Articles that Came from their Hon^rs Concerning Maj^r *Beverleys* allowance, *it's ordered* that their Hon^rs be humbly advertiz'd that the houſe of Burgeſſes did allow the ſum of twenty thouſand pounds of tobacco & Cask Maj^r *Beverley* not onely for his being Clerk of the Aſſembly in *Aprill* laſt, but for many Conſiderable Extraordinary Services before and ſince that Aſſembly performed by him.

Reſolued that there be added to the former allowance of ten thouſand pounds of Tobacco to Mr *Edward Chilton* the ſum of fiue thouſand pounds of tobacco & Cask more wch makes in all fifteene thouſand pounds of Tobacco & Cask & y^t it be mended in the ſtate of the Claimes

Tho: Milner Cl Aſſembly

Ordered that the Clerk goe to the houſe of Burgeſſes and deſire that the Acco^t for wch Maj^r *Beverley* was allowed twenty thouſand pounds of tobacco & Cask be ſent up to the Lt Gouern^r and Councill.

Coll *James Powell* and Mr *Abraham Weeks* bring the ſaid account.

Lt Coll *John ffarrer* comes from the houſe and acquaints Coll *Phill Ludwell* that there is a Debate now in the houſe of Burgeſſes betweene him and Doctor *George Lee*.

Ordered that the Clerk Carry the foll paper in anſwer to the houſe of Burgeſſes laſt Meſſage.

Three Interpreters are admitted and ſworne, a number ſufficient to attend upon all occaſions, therefore in the place of *Newcomb* there is noe neede of another Interpreter to be appointed.

As to the allowance giuen to Mr *Littlepage* it's inſiſted on more, then that it ought to be well Conſidered how preſidentiall this Grant will futurely be, and it's deſired the Authentick proofe of this Claime made to the houſe of Burgeſſes be ſent up to the Lt Gouern^r and Councill that they as in their parts may be Judges of the juſtneſs of the Claime.

The Lt Gouern^r and Councill haueing under their Conſideracõn the preſent great and weighty Debt, the Publique hath unavoidably Contracted, and being deſirous in what poſſible they juſtly may to eaſe the Publique, haue Reſolued the Clerk of the Genl Aſſembly, nor the Clerk of the Aſſembly be in any kind Chargeable to the Publique, but that according to a Parliamentary way they haue noe other profitts then what may juſtly be demanded by due ffees eſtabliſhed by Law.

All Claimes and ffees founded by Law it's moſt fitt they be allowed, and if any Law can be produced whereby to Juſtifie us in paſſing the allowance of twenty thouſand pounds of tobacco & Cask to the Speaker, it's deſired that Law be produced to auoid Delays or further Arguments in the Matter

Our Reſolues being not to leſſen the Right the Law hath provided for any man, nor to be ſo Regardleſs of our Truſt to Convert the Gratifications not Eſtabliſhed by Law. And whereas the Houſe of Burgeſſes haue Reſolued *Nemine Contradicente* to allow the preſent Speaker of the Houſe of Burgeſſes twenty thouſand pounds of tobacco & Caske it's not Controverted provided it be not Charged to the account of the Publique.

Decemb^r 15th 1682 *Edward Chilton* Cl Gen^ll Aſſemb^y

Mr *Charles Turner* and Capt *John Langhorne* waite upon the Lt Gouern^r and Councill and acquaint them that the Houſe of Burgeſſes had ſent them to ſatisfie their Hon^rs in the juſtneſs of Mr *Littlepages* Claime and Mr *Turner* affirmed, that as being a Juſtice of *New Kent* to his knowledge the County had allowed Mr *Littlepage* for the ouerplus tythables returned in County Levy.

The Lt Gouern^r acquaints them that it was an ill preſident and Deſired that the houſe would remitt the ſame back to *New Kent* County, and there Mr *Littlepage* to be Satisfied for what Tythables he returned more then due.

Ordered that the Clerk Carry to the Houſe of Burgeſſes the Acco^t of Mr *Robert Beverley* with this following addition.

Great part of that Charge relates to his Excellency the Lord *Culpeper*, and moſt part of the reſt of the Articles for Coppies tranſmitted to *England*, it's therefore thought fitt

ſitt the whole be referred to the arrivall of his Excellency the Lord *Culpeper*, and then the meritt of the whole Claime to be taken under Conſideracõn.

Coll *John Stone* and Mr *Hen: Jenkins* preſent the following meſſage

Decembr 15th 1682

May it pleaſe yor Honrs

It hath alwaies beene the uſuage and practice of the Houſe of Burgeſſes, euer ſince there hath been any Aſſemblyes in *Virginia*, to gratifie their Speaker, their Clerks, and other Officers according to their meritt, as they haue thought fitt, and the Houſe of Burgeſſes doe humbly Conceiue that practice and Uſage to be a ſufficient Ground for this Houſe's proceeding therein.

It was Judged by this houſe that two Interpreters were ſufficient, but now underſtanding there are three ſworne doe humbly ſubmitt to yor Honrs in that poynt and pray that there Names may be Returned to this Houſe.

To Mr *Littlepage* although the Houſe is ſatisfied in the Juſtneſs of his Claime, yet yor Honrs Concerning [conceiving] it may be of ill Conſequence to the Country, humbly offer that his allowance may be deducted from the preſent Levy and his Caſe refferred to the Conſideration of the next Aſſembly.

Tho: Milner Cl Aſſembly.

Mr *Malachy Thruſton* and Mr *Thomas Barber* waite upon the Gouernr and Deſire to know whether they may Expect any anſwer tonight.

The Lt Gouernr acquainted them that there was a Meſſage prepareing wch ſhould be ſuddenly ſent.

Ordered that the Clerk Carry the two foll. meſſages.

December 15th 1682

By his Majties Lt Gouernr and Councill

Mr Speaker *and Gentn. of ye Houſe of Burgeſſes*

If the Auncient Records of the Aſſembly be Reviſed it will be found noe gratification was giuen to their Speaker nor Reward to the Clerk of the Aſſembly Exceeding fiue or ſix thouſand pounds of Tobacco for a ſeſſions, neither did the Houſe of Burgeſſes euer Conceiue themſelues to haue the ſole diſpoſall of aſſeſſments without the Concurrence of the Gouernr and Councill as being two parts of the three Eſtates the Genll Aſſembly Conſiſts of.

The preſent Debate of Gratifying the Speaker and Rewarding the Clerk of the Aſſembly may moſt fittly be Reſolued, when his Excellency the Lord *Culpeper* arriues, by whome we may Expect his Majties pleaſure in all Aſſembly affaires, and therby be directed what allowances and Rewards to appoint for ſervices done.

It's therefore Reſolued the preſent Concerne to the Speaker and Reward of the Clerk of the Aſſembly be Referred to the Conſideracõn of the next Aſſembly.

The Names of the Interpreters which are ſworne and appointed are

Tho: Buſby
Dauid Whittley
George Smith

Edwd Chilton Cl Genll Aſſembly

December 15th 1682

*By his Majties Deputy Govern*r

Mr Speaker *and Gentn. of the houſe of Burgeſſes*

It's ſome dayes ſince the Councell and you preſented Me with ſeverall Bills prepared for Lawes, to wch I aſſented wch I doubt not but are Ingroſſed and fitted for Publicacõn all Claimes from the Publique haue been Examined and what found due paſt, thoſe Relateing to the Speaker the Clerk of the Genll Aſſembly, Clerk of the Aſſembly, and Majr *Beverley* are Referred to the Conſideracõn of the next Aſſembly. I deſire therefore youle without delay proceed to the proportioning of ye Levy, that tomorrow we may cloſe this ſeſſions

Hen: Chicheley

Ordered

Ordered that the Clerk goe to the Houſe of Burgeſſes, and deſire to know whether the Gouernr and Councill may Expect an anſwere from the Houſe this Night.

The Clerk Returnes with anſwere that the Houſe would imediately ſend an anſwere.

Majr *Arthur Allen*, Mr *Wm Fitzhugh* and Capt *Anthony Armſteed* preſent the following Meſſage.

Decembr ye 15th 1682

To the Rt Honrble ye Lt Gouernr and Councill

May it pleaſe yor Honrs

By the Meſſage now ſent us in Writeing, you are pleaſed to Signifie, that you haue Reſolued that the Concerne of the Speaker, and Reward of the Clerk of the Aſſembly be Referred to the Conſideration of the next Aſſembly, and thereupon his Honr the Govern haueing referred the allowances relateing to the Speaker, the Clerk of the Genll Aſſembly, Clerk of the Aſſembly and Majr *Beverley* to the Conſideration of the next Aſſembly wthout The Conſent of this Houſe, they humbly Conceiue they are thereby excluded from haueing any influence in the Genll Aſſembly, and therefore Cannot proceed to the proportioning the Levy, or any other affaires of the Country now before them, wch they hoped to haue finiſhed tomorrow.

Tho: Milner Cl Aſſembly

Ordered that the Clerk goe to the Houſe of Burgeſſes and acquaint them there is a Meſſage prepareing in anſwere to theires laſt ſent, wch ſhall preſently be ſent.

The Clerk Returnes with anſwere that the Houſe of Burgeſſes would waite and expect the Governrs Comands

Ordered that the Clerk Carry the foll Meſſage.

Decembr 15th 1682

By his Majties Lt Governr and Councill

Mr Speaker *& Gentn. of the Houſe of Burgeſſes.*

The Lt Gouernr and Councill in their Meſſages lately ſent expreſſing their Deſires that the Concerne of the Speaker now in debate, as alſo the Reward of ye Clerk of ye Genll Aſſembly Clerk of the Aſſembly, and Majr *Beverleys* Claime to be referred to the Conſideracon of the next Aſſembly is not taken in the ſence intended, for it was not intended to exclude the houſe of Burgeſſes in that reference, in which could not doubt of their Concurrence, and that for thoſe many Reaſons laid down in ſeuerall Meſſages this day ſent, and not as yet Directly anſwered.

Edwd Chilton Cl Genll Aſſembly

Ordered that the Clerk goe to the houſe of Burgeſſes & acquaint them their anſwere is expected this night, and that the Gouernr and Councill deſire their houſe may be full to make anſwere to the laſt propoſitions.

The Clerk Returnes

Coll *Wm Byrd* and Capt *John Langhorne* waite upon the Gouernr and acquaint them that the Houſe of Burgeſſes would imediately Returne an anſwere

The Gentn returne.

Capt *Miles Carey* and Lt Coll *John Farrar* waite upon the Gouernr and acquaint him that their houſe was prepareing a Meſſage to ſend.

Coll *Wm Bird* &c. preſent the foll meſſage

The 15th of *Decembr* 11 att night

May it pleaſe yor Honrs

This Houſe Conceiue themſelues the moſt fitt and Competent Judges, in rewarding the Deſerts and Meritts of their own Officers, and doe find upon their Records and Journalls the allowances now granted many times with Addition, ſeldom diminution for this many yeares, nor can we learne neither from our Records Journalls or auncient Members of this Houſe, that euer before now, any of their Rewards or gratuities (though ſometime Change appeares) was euer diſputed by the Gouernr and Councill nor doth this Houſe think it reaſonable that any officer of theires ſhould or ought to haue any dependance on any other for their ſervices done here, then imediately upon the Houſe

it

it ſelfe, nor can Wee believe that wee may expect any ꝑticular direction from his Majᵗʸ in payment of our Officers, eſpecially when wee Conſider yoʳ Honʳˢ firſt paper in this diſpute, wherein you doe Concurr with us, provided wee would make abatement in ſome of our allowances, which (had not yᵉ greatneſs of the Publique Charge appeared) Wee eſteemed too ſmall a Reward for their great & many ſervices in *Aprill* and this long Aſſembly, it appearing to us that former aſſemblies haue allowed the whole Reward for halfe the ſervice, and it would be apparent injuſtice to referr our Officers to another aſſembly for their juſt rewards, and a thing wholly impractick in any former when a Levy hath been laid, and therefore hope yoʳ Honʳˢ will noe longer urge for their further abatements or ſtay from their ſo well deſerved allowances.

Tho: Milner Cl Aſſembly.

Ordered that the Clerk Carry to the houſe of Burgeſſes two old Books of Records the one dated in 40 yᵉ other in 57 wherein it appeares noe Gratuity was formerly giuen to the Speaker and an inconſiderable one to the Clerk of yᵉ Aſſembly in reſpect of what is now offered.

The Clerk returnes.

Mʳ *James Minge* and Capᵗ *John Langhorne* with Coll *Tho: Milner* Clerk of the Houſe of Burgeſſes bring a Book to Juſtifie their allowance to their Speaker, and Clerk Continued aboue twenty yeares.

Capᵗ *Miles Carey* and Capᵗ *Anthony Armeſteed* waite upon the Gouernʳ to know if he will pleaſe to Returne an anſwere tonight

The Gouernʳ replyes affirmatiuely

Ordered that the Clerk goe to the Houſe of Burgeſſes and deſire to know whether they will ſend any anſwer tonight

The Clerk returnes with anſwer that the Speaker ſaid he would ſend ſoone.

Coll *Iſaac Allerton* Mʳ *Wᵐ Fitzhugh* Mʳ *Chriſtopher Robinſon* and Mʳ *James Minge* waite upon the Lᵗ Gouernʳ & Councill and deſire to know what it is that is deſired, that a Mediation may be found to Compoſe and ſettle all differences whether it be Relateing to the allowances of yᵉ Clerk of the Genˡˡ Aſſembly, and yᵉ officers of yᵉ ſaid Houſe.

The Gouernʳ and Councill deſire them to Returne to their Houſe, and know their opinion whether they think themſelues to haue that Authority to raiſe a Levy without the Conſent of the Gouernʳ & Councill, and whether Major *Beverley* was meant amongſt their officers in one of the laſt of their Meſſages.

The Gentˡ not haueing full Comiſſions to diſcourſe more then what they deliuered, therefore returne.

Mʳ *James Minge* Mʳ *Wᵐ Fitzhugh* and Mʳ *Chriſtopher Robinſon* preſent the foll meſſage.

December 15ᵗʰ 1682

May it Pleaſe yoʳ Honʳˢ

This Houſe by any of their writeings ſent to yoʳ Honʳˢ did neuer intend or think their words in any of them could extend to be Conſtrued, that they tooke themſelues independent to yoʳ Honʳˢ in Reſpect to yᵉ laying or levying any allowance but onely in aſcertaining Rewards to their own officers, (of whoſe deſerts) they Conceiue themſelues moſt Capable of Judging as appeares by their preſenting to yoʳ Honʳˢ yᵉ ſtate of the Claimes this preſent ſeſſion for yoʳ Confirmation.

Tho: Milner Cl Aſſembly

The Lᵗ Gouernʳˢ and Councill adjourne while tomorrow morning

Saturday December 16ᵗʰ 1682

MR *Wᵐ Sherwood* and Mʳ *Charles Turner* from the Houſe of Burgeſſes waite upon the Lᵗ Gouernʳ and Councill and acquaint them that their Houſe haue thought fitt to allow Majʳ *Robert Beverley* ten thouſand pounds of tobacco & Cask to be paid this Levy, and are willing that the reſt be referred to the next Aſſembly Provided the Lᵗ Gouernʳ and Councill would Concurr therein.

The

The Lt Gouern^r^ and Councill acquaint them that they haue already ſetled ſix thouſand pounds of Tobacco to Maj^r^ *Beverley* and are willing that the other Articles to be referred to the next Aſſembly then to be allowed, Provided they appeare to be juſt.

The Gent^n^ returne

M^r^ W^m^ *ffitzhugh* and Mr *Chriſtopher Robinſon* waite upon the Lt Gouern^r^ & Councill & acquaint them that their houſe would enter noe meſſages returned by their Members in their Journall, and therefore deſired what was ſent from hence be ſent by ſome of their Meſſengers.

Ordered that the Clerk Carry the following Meſſage.

*Decemb^r^* 16th 1682

By the Lt Gouern^r^ and Councill

*M^r^* Speaker *& Gent^n^ of ye Houſe of Burgeſſes.*

The Lt Gouern^r^ and Councill haue Conſidered the Claime of Maj^r^ *Robert Beverley* and doe think it reaſonable he be allowed in this preſent Levy ſix thouſand pounds of tobacco and Cask, and further doe Conſent that the Articles of his Claime be referred to ye Conſideration of the next Aſſembly for a further ſatisfaction, if upon a full examination any ſhall be found due unto him, and it's deſired noe further delayes be in debates of this affaire, but that the Houſe of Burgeſſes doe ſignifie their Concurrence thereto.

Edwd Chilton Cl Gen^ll^ Aſſembly

The Clerk Returnes.

Coll *John Leare* and Maj^r^ *Arthur Allen* preſent the foll meſſage

*May it pleaſe yor Hon^rs^*

The Houſe of Burgeſſes doe pray yor Hon^rs^ to ſignifie to this Houſe if they ſhall Concurr with yor Hon^rs^ in the laſt propoſall concerning Maj^r^ *Beverley*, whether this houſe may without further debate of any other matters proceed to the proportioning the Levy according to the now ſtate of the Claimes (this being deducted)

Tho: Milner Cl of Aſſembly

*Decemb^r^* 16th 1682

Ordered that the Clerk goe to the houſe of Burgeſſes and deſire the acco^t^ of the levy.

The Clerk returnes with anſwer that Mr *Speaker* would imediately Returne ye acco^t^

Maj^r^ *Edward Dale* and Coll *John Stone* bring ye Levy acco^t^

The Gent^n^. returne.

Ordered that the Clerk Carry ye following Meſſage to the Houſe of Burgeſſes.

*Decemb^r^* 16th 1682

By the Lt Gouern^r^ and Councill

*M^r^* Speaker *and Gent^n^. of the houſe of Burgeſſes*

In the ſtate of Claimes now Reced from the houſe of Burgeſſes, the Comittee haue Reported *Edward Chilton* Clerk of the Gen^ll^ Aſſembly, by his Recording many Publique papers and other ſervices done as by the Report of the Comittee is expreſſed hath deſerved for thoſe ſervices ten thouſands pounds of Tobacco & Cask wch the Houſe of Burgeſſes approued of and allowed as by y^e^ ſtate of the Claime preſented ye 14th Inſtant and for his ſervice of ye Clerk of ye Gen^ll^ Aſſembly, it's propoſed Conſidering the preſent great Charge on the Publique he be this preſent leuy allowed onely ten thouſand p^ds^ of tobacco with Cask, wch is farr ſhort of what his paines and Care do deſerve which in the whole makes twenty thouſand pounds of tobacco & Cask and in this Cañot doubt the Concurrence of the Houſe of Burgeſſes.

Edwd Chilton Cl Gen^ll^ Aſſembly

M^r^ *W^m^ ffitzhugh* Mr *Chriſtopher Robinſon* and Capt *Anthony Armefteed* from the houſe of Burgeſſes waite upon the Lt Govern^r^ and Councill and acquaint them that their houſe doe willingly Concurr in giueing *Edward Chilton* Clerk of the Gen^ll^ Aſſembly twenty thouſand pounds of tobacco to be raiſed this preſent Levy, and deſire that all other Claimes as they are ſtated may be allowed of.

The Gent^n^. Returne

Ordered

Ordered that the Clerk goe to the houſe of Burgeſſes and carry the Booke of Acco^{ts} of the Publique Levy, and deſire that the Gent^{n}. proceed to ye proportioning of the Levy.

The Clerk returnes with anſwere that ye Comittees appointed for proportioning the leuy ſhould preſently be ſent forth.

Coll Wm *Bird* Mr *Malachy Thruſton* &c. acquaint ye Lt Gouern^{r} and Councill that the Comittee of Claimes had Comitted an Error in Maj^{r} *Beverleys* acco^{t} and allowed him ſix thouſand pounds of tobacco leſs then he ought to haue, being miſcaſt up, wch in the name of their houſe they deſired might be rectified.

The Lt Govern^{r} & Councill upon the aforeſ^{d} Members affirmacon that the acco^{t} was wrong Caſt up, allowed it to be rectified.

Die Lunæ 18th *Decembris*

COLL *Iſaac Allerton* Coll *Wm Kendall* Mr *John Buckner*, M^{r} *Wm Fitzhugh* Mr *Chriſtopher Robinſon* and M^{r} *Wm Hardridge* preſent his Excellency with the Levy as it is now proportioned and deſire to know, when the Houſe ſhall waite upon him.

His Excellency acquaints them that he would ſoone ſend to their houſe.

The Gent^{n}. returne.

Die Lunae 18° X^{bris} 1682

By his Excellency and Councill

In the *Act Repealeing the ſixth Act of Aſſembly* An^{o} *1680 about Attorneys.*

It's propoſed that the preamble be omitted, and that it may be onely ſaid, *this Act being found inconven^{t} therefore it's repealed.*

In the *Act Repealeing the Exception of the Inhabitants of* James Citty *County from arreſts*

It's propoſed the Inhabitants of *James Citty* be not included in that Law, but that in Court time, they may be lyable to arreſts, there being not the like reaſon for their Exemption as for the Inhabitants of the County.

In the *Act for the encouragement of Liñen and Woolen* its propoſed for ye prevention of deceipts, that the Law directs all Certificates to be paſſed under the hands of two Juſtices of the peace, whereof one to be of the Quorum, and that Certificates be returned to the County Courts, and filed up at the Court houſe, where all perſons may haue the view of them.

In the *Acts prohibiting hides, ſkins, Iron and Wool to be Exported*, It's propoſed that a Clauſe be added, whereby to provide that if any perſons be ſued upon forfeiture of ye expoting of any Comodities prohibited by this Act, they ſhall not be lyable to be ſued by any other former Act, prohibiting the Exportacon of any the Comodities in this Act Conteined all the penalties by this Law appointed upon forfeitures are very ſevere, and a Mitigation thereof will be more agreeable to Lawes of this Nature, and that part of this Act wch renders euery ꝑſon & ꝑſons who ſhall be lawfully Convicted of exporting any Comodities by this Law ꝑhibited, uncapable of ſuing or recouering by Law any debts it's moſt fitt it be wholly left out; this act being a probationall act, it's moſt worthy of Conſideracon, whether it will not be moſt agreeable to make it temporary onely for three yeares.

In the Act for advancement of Manufactury *it's propoſed* y^{t} in the fourth line, next after the words, (after publication hereof) be added theſe words, *in this his Maj^{tys} Collony and Dominion of* Virginia.

Edwd Chilton Cl Gen^{ll} Aſſembly

Ordered that the Clerk Carry the aboue Meſſage to the Houſe of Burgeſſes.

The Clerk Returnes.

Ordered that the Clerk goe to the Houſe of Burgeſſes and acquaint them, that his Excellency is now ready to receiue their attendance.

The

The Clerk returnes with anſwere that the Houſe would imediately attend his Excellency.

Mr *Speaker* attended with the Houſe of Burgeſſes waite upon his Excellency and Congratulate his ſafe arrivall.

Die Martis 19o 1682

COLL *John Leare*, Coll *Arthur Smith*, Majr *Arthur Allen*, and Mr *John Braſhear* preſent a petition, relateing to the Inhabitants of the *Iſle* of *Wight* and *Nanzemond* Counties.

The Gentn. returne

Ordered that the Clerk goe to the Houſe of Burgeſſes and deſire the aboue named Gentlemen to waite upon his Excellency.

The Clerk returnes.

The Gentn. attend his Excellency.

Ordered that the Clerk goe to the Houſe of Burgeſſes and deſire that the meſſage ſent laſt night be returned.

Mr *Fitzhugh* &c. bring the paper.

Die Martis 19e Decembris 1682

By his Excellency and Councill

In the *Act makeing it poenal for any perſon to declare the Acts of Aſſembly are not of force.*

It's propoſed this Act be made as an Additionall Poenalty to what legally may be already inflicted upon offenders, who ſhall dare to offend agt the Authority and Dignity of the Gouernmt in ſo high a Nature, as to ſpeak Contemptuouſly of the power and Efficacy of our Lawes.

It's propoſed that Conſidering the ſhortneſs of our Crops, and the greatneſs of our preſent Leuy, that one halfe be ꝑportioned and ordered to be paid this yeare, and ye other halfe the next yeare, wch will render the whole paymt much ye eaſier.

It's propoſed that one yeares Charge of Mainteining of the four Capts and ffourſcore ſoldiers by Act now eſtabliſhed be provided for this preſent ſeſſion of Aſſembly, and ꝑportioned with order of payment to be Leuied and paid the next yeare as ſhall now be proportioned, it's fitt this proviſion att leaſt be made for the encouragemt of the ſoldiers, to aſſure them that noe accident ſhall retard their payments.

To the Act for encouragemt of Manufacturie a Clauſe be added declareing that Law to be and Continue of force for three yeares

The Act Repealeing the fforts to be made temporary, and to be repealed for three yeares only, and ſo to be provided for by a Clauſe in the ſaid Act.

In the Act for advancemt of Manufacturies of ye growth of this Country &c: a Clauſe to be inſerted, to declare this Act to be of force for three yeares onely.

Edwd Chilton Cl. Genll Aſſembly

Ordered that the Clerk Carry the following Meſſage.

Die Martis 19th *Decembris* 1682

By his Excellency

Mr Speaker *and Gentn. of the Houſe of Burgeſſes*

In the Articles of Claimes and allowances, paſſed by ye Councill & yor ſelues in the ſtate of the preſent leuy, relying on ye Care of ye Councill and yor Houſe, in the fitneſs and juſtneſs of ye ſame I haue paſſed all, but one Article, being ſix thouſand pds of Tobacco allowed to Majr *Beverly*, wch I ſhall not Conſent unto, he being repreſented to his Majty as a principall fomentor and encourager of ye late diſorders of plant Cutting and other diſorders, & by his Majties Comands in Councill by ordr beareing date *June* ye 17th 1682, and by my Inſtructions made uncapable of any Office or Truſt, in this his Majties Dominion, untill his Majties pleaſure ſhall be Therein further ſignified, and

Gentn.

Gentℓ. my Conceding to the interceſſion of the Councill and the Houſe of Burgeſſes in *June* 1680 to reſtore him, when by his Majtieſ Comands he was made uncapable of any publique Employment, was not well accepted of, therefore Cannot admitt of any allowance to be now made him, untill he hath ſatisfied his Majeſty that his ſervices haue deſerved the ſame.

But in the Reading ouer the Journali of this preſent ſeſſions I obſerue, ſome Debate hath beene Concerning the allowance to be made to the Attorney Genll out of ye Levies for ſervices done in that Capacity, and that he hath not beene allowed for the ſame. Now foraſmuch as he is his Majties Officer, onely for his Majties and the Countries ſervices here, & that in all reſpects equally with thoſe you haue ꝓuided for and that ye uſuall allowance of four thouſand pounds of Tobacco ꝑ *annum* is ſo ſmall, that wthout other encouragements he cañot ſubſiſt. I doe deſire and expect that the ſaid Sum̃ be paid unto him out of ye ſd Levies, as well as greater ſum̃s to other ꝑſons.

As to yor Adreſs concerning the paymt of the Quarters of Majr *Motleys* Company in the *Iſle* of *Wight* and *Nanzimund* Counties I made it my buſineſs whilſt in *England* to ſollicite the ſame, but without effecting thereof or receiuing any part, nor as yet able to doe any thing therein however in regard of my Promiſe to the Aſſembly in 1680 and yt I may not in the leaſt faile yor expectations I will giue ſpeedy directions, that the ſame be effectually paid to yor ſatisfaction, and of all other perſons Concerned

Tho: Culpeper.

Mr *Wm Sherwood* Mr *James Minge*, Mr *Chriſtopher Robinſon* and Mr *Charles Turner* preſent his Excellency with the Ordrs of Aſſembly.

December 19th 1682

By his Excellency

Mr Speaker *and Gentℓ of the houſe of Burgeſſes*

The Ordrs euen now preſented Me, are all new Matter, and att preſent cañot be fully Conſidered, and may be referred to the next meeteing, wch I hope will not be long, wt in the Orders relates to the ffforts, effectuall Care ſhall be taken therein according as is deſired

Tho: Culpeper.

The Clerk preſents ye aboue Meſſage to the houſe of Burgeſſes

Coll *Lemuell Maſon* Mr *Wm Sherwood* and others from the Houſe of Burgeſſes preſent the following paper.

Decembr 19th 1682

To his Excellency

May it pleaſe yor Excellency

The Houſe of Burgeſſes haueing in behalfe of themſelues and of the whole Coñonality of *Virginia* the 11th of this Inſtant *December* giuen in an Information agt one *John Herbert* for the breach of the 12th Act of Aſſembly of *June* 1680 Prohibiting the exportation of Deer skins, whereupon a Tryall hath been had, before the Rt Honrble Lt Gouernr & Councill and the ſaid *John Herbert* haueing Confeſſt the fact, the houſe of Burgeſſes in the name of themſelues, and of the whole Coñonality of *Virginia* doe humbly craue Judgment thereon according to Law.

Tho: Milner Cl Aſſembly

The anſwere followes

December 19th 1682

By his Excellency

Mr Speaker *and Gentℓ. of the houſe of Burgeſſes*

Yor laſt Meſſage occaſioned my peruſall of what proceedings haue paſſt in the ſeizing ſeuerall Buck and Doe skins from off aboord the ſhip *Dolphin*, Capt *Benjª Hall* Comandr which were ſhipt Contrary to the 12th Act of Aſſembly 1680 and ſince by order of Councill Condemned, and Notwithſtanding the former proceedings haue been ſomewhat irregular as to the formalities of Law, yet ſince the Councill haue already adjudged them to be legally forfeited, ſhall giue directions that the Moyety due to the Informers be

be diſpoſed of, as the Law requires, all Coſts Charges and Sallery being firſt deduc[ted] to ſuch ℔ſon or ℔ſons as yo[r] Houſe ſhall think fitt to Nominate Informers, and receiue the ſame.

Tho: Culpeper

Ordered that the Clerk Carry the aboue Meſſage

The Clerk Returnes

Cap[t] *John Langhorne* M[r] *James Biſs* Maj[r] *Edward Dale* and M[r] *W[m] Preſſly* wait upon his Excellency and acquaint him that theire Houſe in the morning would returne an an anſwere to y[e] laſt Meſſages ſent.

The Gent℄. returne

December 20th 1682

COLL *W[m] Bird* and ſeuen other Gent℄. preſent the foll paper with the Acts and Ord[rs]

To his Excellency

May it pleaſe yo[r] Excellency

Before yo[r] Excellencies wiſh't arriuall the Houſe of Burgeſſes had paſs'd ſeverall Bills and preſented them to the R[t] Hon[rble] the L[t] Gouern[r] and Councill, w[ch] were returned by their Hon[rs] aſſented to, w[ch] ſince yo[r] arrivall yo[r] Excellency haueing peruſed, were returned to the Houſe of Burgeſſes with a Signification of yo[r] Excellencies pleaſure for ſome alterations and amendments, w[ch] this Houſe in great Confidence of a Concluſion of that affaire did with what poſſible expedition, a buſineſs of that nature could regularly admitt, alter, amend and paſs accordingly and did Cauſe them to be new written, and preſented to yo[r] Excellency together with ſome ord[rs] for yo[r] Lordſhips Ratification, ſome of private, ſome of publique Concernment, ſome of both, w[ch] ſeeme of Importance as that of the private Cauſes, Coll *Phill Ludwell*, and *George Lee* for Country Houſes, Coll *Potter* and *Cole* of *Accomack* are more eſpecially recomended to yo[r] Excellencies Conſideration, and for the reſt if yo[r] Excellency ſoe pleaſe, We are Content to referr to the next ſeſſion of Aſſembly, reſpect had by yo[r] Excellency to thoſe Concerning the fforts.

This Aſſembly hath been of long Continuance, and to be much longer would make the Charge inſupportable to the Country, and might be of ill Conſequence to y[e] Aſſembly Conſidering the ſeaſon and danger of our healths.

The houſe of Burgeſſes doe therefore humbly pray yo[r] Excellency that you will pleaſe to paſs thoſe Lawes that haue been preſented to yo[r] Excellency, and amended fully according to yo[r] Excellencies firſt propoſall, as they now are, together with the Leuy as now ſtated, w[ch] will be to y[e] unexpreſſable ſatisfaction of this Houſe, and to all the Inhabitants of this his Maj[ties] Collony and Dominion of *Virginia*

Tho: Milner Cl Aſſembly

The Gent℄ returne.

Coll *Bird* againe with the other Gent℄ waite upon his Excellency and deſire to know in what ſtile the Lawes ſhall paſs, and deſire that a Coppy of the Condemnation of the skiñs be ſent to their Houſe.

The Gent℄. returne.

Ordered that the Clerk Carry a Coppy of the Judgm[t] whereby the buck and doe skins w[ch] *John Herbert* ſhipt on Boord the ſhip *Dolphin* were Condemned, as likewiſe the foll. paper

Decemb[r] 20 1682

By his Excellency

The Stile of Authority to be in the Acts *Viz[t] Be it enacted by y[e] Gouern[r] Councill and Burgeſſes of this Gen[ll] Aſſembly*

Tho: Culpeper.

December

December 20th 1682

By his Excellency

Mr Speaker *and Gentn of the houſe of Burgeſſes*

It was very late on *Sunday* night before I reced ye Bills prepared this ſeſſions, to wch (with an Expedition, that nothing but my deſire to diſpatch affaires could induce) I gaue ſuch anſwer on *Munday* Noone, as the ſhortneſs of the time would permitt but not with intent to be Concluded, till I had peruſed my Inſtructions; and his Majtes Comands in Councill, left by me on ſhipboord, wch I ſent for by Expreſs and were brought to me on *Munday* night, the very next day I ſent you all I had to ſay to thoſe Bills then before Me. and not onely that, but thoſe (few) alterations I though neceſſary in the leuy alſoe (wch was firſt brought to me on *Munday* in the Euening (but was ſurpriſed to haue ſoe many orders brought before Me laſt night, when I had hoped to haue Concluded the ſeſſions in very few houres.' It is Contrary to Inſtructions that you haue ſatt ſoe long, and the Conſideration of the Publick Charge, and yor private healths & buſineſs. are very urgent additionall reaſons to diſpatch this day. I doe therefore deſire and expect, if you doe not agree to the alterations I ſent or any of them, that you forthwith acquaint Me with ye particulars and yor reaſons, wch will expedite matters, it being Impoſſible to anſwere the Generalls.

As to the Orders, though I infinitly deſire the Houſes in *James Citty* ſhould be built out of hand, yet I doe not think them worth the leaſt delay, and beſides I hope they may be timely enough done, according to the deſigne of ye order.

As to priuate Cauſes both you and the Councell haue agreed thereunto already, and entred ye ſame in yor reſpectiue Journalls.

As to Mr *Potter*, 'tis but the Revivall of a former Order and I ſhall take particular Care therein, and laſtly for *Accomack* Court houſe, the Caſe is not before us, but tis ſuppoſed that the County Court is ſufficiently Authorized to take Care about the ſame.

Tho: Culpeper

The Clerk Carries the aboue meſſage.

Coll *John Farrar* and Mr *John Braſhear* preſent his Excellency with the following paper.

December 20th 1682

To his Excellency and the Honrble Councill

May it pleaſe yor Excellency

This Houſe haueing Reced a Coppy of the Lt Gouernr and Councills Condemnations of the skins lately ſeized on Boord the ſhip *Dolphin* doe humbly Conceiue ye Judgmt is Defectiue, and that the skins ſo ſhip't are not onely forfeited, but there is by ye Act of *June* 1680 prohibiting the exportation of Deere skins a poenalty of one hundred pounds of Tobacco ℔ skin upon the exporter, for which thoſe Gentn. appointed by this Houſe upon the tryall Craued Judgmt according to ye ſaid Law and therefore this Houſe doe pray that the Judgmt may be perfected, and a Coppy thereof tranſmitted to this Houſe

Tho: Milner Cl of Aſſembly

The Gentn returne.

Ordered that the Clerk goe to the Houſe of Burgeſſes & deſire the Order of Councill wherein the Buck and Doe skins were Condemned, that were ſhipt by *John Herbert*.

Coll *Tho: Milner* Clerk of the houſe of Burgeſſes preſents ye Order.

Ordered that the Clerk enlarge the Order of Councill where the aboue skins were Condemned, and inſert ye payment of ye fine, as well as ye forfeiture of ye skins.

Coll *Brown* with others waite upon his Excellency and acquaint him their houſe was prepareing a Meſſage in anſwere to his laſt propoſitions, wch within an hour ſhould be returned.

His Excellency acquaints them he would willingly ſtay an hour or two provided he were Certaine of a Returne But that he would expect the ſame tomorrow by eight of ye Clock.

Decembr

Decembr 21th 1682

MR *Wm Fitzhugh*, and Mr *Chriſtopher Robinſon* waite upon his Excellency, and deſire that a paper lately ſent be amended.

Coll *Allerton*, Coll *Lear*, and ſome other Members preſent ye following Meſſage.

Decembr 21th 1682

To his Excellency & Councill

The humble anſwer of the houſe of Burgeſſes to the ſeverall propoſalls of the 19th & 20th *Inſtant.*

To ye firſt

Agreed, that this be entituled *an Additionall Act*, according as is propoſed.

To ye ſecond

We are of Opinion that the Houſe of Burgeſſes haue Competent knowledge as well of the inclinations as abilities of the People, of the firſt they are well aſſured, they are more willing to depart with what is now aſſeſt then to be in expectance of Arreares. Suppoſeing that the following yeares will be Chargeable enough of themſelues, and as for their abilities, if the whole cannot be had intire in tobacco, they will yet be Content to pay in ſuch things as they haue, beſides this forbearance of one halfe to be paid hereafter will be a diſappointment of the preſent Country Creditors, and that like retroſpection may here be juſtly objected, as ſometime this preſent ſeſſion was oppoſed by ye Honrble Councill to a Bill lately before them, and for ſuch rejected.

To the third

We find that the ſetling of a Leuy one yeare to be Collected the next is unequall, ſo long as we are to ꝑportion it by ye pole for ye Number of Tythables in the Counties alter euery yeare ſome in the decreaſe, others increaſeing, then the anticipating of a Leuy by a known ſum̃ will be of ſuch Conſequence among the people, that what with that & a greater, wch they may expect & feare another yeare added together will diſpoſe many families and young ffreemen to remoue themſelues into the Neighbouring Gouernmts and diſcourage others from comeing to us, as is already experienced, and when we ſhall ſee how theſe Soldiers deſigne to be employed by this Law, ſhall diſcharge themſelues of the duties expected from them, it will be then time enough to Continue their payment, beſides it may be added that we haue late & ſad Inſtances, what the anticipation of Leuies haue produced.

To the fourth

That this Act was originally deſigned to be temporary, and is now actually done for three yeares.

To the fifth

It hath been a propoſition from moſt or all ye Counties in ye Country to haue ye forces as they were eſtabliſhed by an Act in 1680 diſbanded, being found extreamly Chargeable, and did not anſwere the expectation was had of them. and if theſe now be employed ſhall alſo be found to be of noe more uſe, ſucceeding Aſſemblies may be ready to take ſuch other meaſures as his Majty ſhall direct, or ye exigency of the Country require, and whereas in this propoſition ye word fforts is mentioned, it is to be Noted they were neuer other then the Shadowes of ſuch. being onely ſlight *Virginia* Houſes to ſhelter men from the weather, about ſome of which are onely ſome rotten Palliſadoes remaining if theſe reaſons doe not ſatiſfie yor Excellency this Houſe is Content that the Act of 1680 ſhall ſtand Repealed by the Act now made for three yeares, and after till his Majties pleaſure ſignified to the Contrary.

To the ſixth

Agreed, that it continue three yeares, and from thence to the end of the next ſeſſion of ye Genll Aſſembly.

To the Allowance of ſix thouſand pounds of tobacco to Majr *Beverly* we ſay that his Excellency being here in 1680 Mr *Beverley* was reſtored, att the interceſſion of ye Honrble Councill and Houſe of Burgeſſes, and was then allowed his Sallery as Clerk of the Aſſembly

Aſſembly, and att the Convention in *Aprill* laſt and ſometime after ſtood *rectus in Curia*, and this houſe did think he did deſerue for his ſervices done within thoſe times twenty thouſand pounds of tobacco, and accordingly repreſented The ſame to the Rt Honrble ye Lt Gouernr & Councill, who were pleaſed to think it reaſonable, he ſhould be allowed the ſaid ſix thouſand pds of tobacco in this preſent Leuy, with a Reference of the reſt to ye Conſideracõn of ye next Aſſembly as by their Honrs meſſage of ye 16th Inſtant, & thus it ſtands in the preſent Leuy by their Honrs Conſent, and ſo ꝑportioned.

As for ye Attorney Genll this houſe hath fully anſwered yt propoſition by their reſolue of ye 13th Inſtant preſented to ye Honrble Lt Gouernr and Councill.

To the Reference of Priuate Cauſes as it ſtands on both ye Journalls, we pray yor Excellencies Concurrence, and as for all other the orders, they are now ready drawn up, & ſetled, in ſuch forme and Maner, as things of ye like nature hath heretofore in former Aſſemblies been done. and moſt of them of Courſe, but if it be not yor Excellencies pleaſure now to Ratifie them (together with the Lawes) as uſual, this Houſe doth ſubmitt, and ſhall Conſent, that they ſtand referred by a Genll order to the next ſeſſion of Aſſembly

Tho: Milner Clerk of Aſſembly

The anſwer followes

December 21th 1682

By his Excellency

Mr Speaker *and Gentl. of the Houſe of Burgeſſes*

To the firſt

Agreed that that Act be Intituled *an Act impoſeing further poenalties upon any ꝑſon or ꝑſons that ſhall Publiſh or Declare that the Acts of Aſſembly of* Virginia *are not of force.*

And that the following words be inſerted in the foot of the Law *wch ſaid penalties are to be added and Impoſed ouer and beſides all other puniſhments that may be legally inflicted upon ſuch offenders.*

To the ſecond

Though I am not att all Convinced by yor reaſons, yet in regard this Aſſembly hath ſate ſo long allready, and that the Charge (which is Chiefly deſigned to be auoided) would be encreaſed by any further debates thereupon, I doe for this time Condeſcend and agree to it.

To the third

Though yor reaſons are not ſatisfactory or allowed & that it is not Conſonant to the practice uſuall in ſuch caſes, yet For the Reaſons aboue mentioned I doe Agree.

To the fourth

Agreed, ſo it be for three yeares onely

To ye fifth

Provided the Act for ye 20 ſoldiers be for three yeares I conſent the Act for the ffortſ be Repealed for three yeares under his Majties good likeing and after till his Majeſties pleaſure ſhall be ſignified to ye Contrary.

To ye ſixth I agree for three yeares onely.

That in Regard of the particular ſtrict orders I haue about Mr *Robt Beverley*, and that matters relateing to him are not yet determined, I ſhall not agree to any thing that may in the leaſt Countenance him and though there are legall meanes enough to puniſh the perſons concerned in the late Inſurrection in deſtroying of Plants, and their abettors, and preſerve the Dignity of the Gouernment, to ye end all euill minded perſons may be deterred from the like for ye future yet it will be much obſerved in *England*, that in all this time, there hath been noe Conſideration thereof in this Aſſembly, and therefore it will be beſt in all Reſpects, that there be now noe more mention of his particular Caſe.

To ye eighth

That about the Attorney Genll I conſented it be referred to the next Aſſembly.

As to the laſt, all Priuate Cauſes debated & undetermined this ſeſſions of Aſſembly, I agree that they ſtand refferred to the next Aſſembly.

Tho: Culpeper.

December

December 21th 1682

To his Excellency

May it pleaſe yor Excellency

For that noe private Cauſe hath been in debate this ſeſſion of Aſſembly, The Houſe of Burgeſſes doe humbly pray yor Excellency that you would pleaſe the laſt Article in yor meſſage to this houſe, whether it doth ex^tend to priuate Cauſes, and other matters undetermined this Aſſembly.

Tho: Milner Cl of Aſſembly

The anſwere followes

December ye 21th 1682

By his Excellency

Noe Cauſe can be ſuppoſed to be Diſmiſſed any Court, till the ſame be determined by ſome Judgm^t of that Court and therefore I conceiue all Cauſes of Courſe remaine refferred, and ſo noe need of any ꝑticular reference at all, beſides I find it in ye Journall of the Councill this ꝑticularly provided for, howeuer (for diſpatch ſake) I haue agreed to ye Gen^ll termes expreſſed in the other paper.

Tho: Culpeper.

Maj^r *Arthur Allen* and other Gent℔. deſire his Excellencies Order, that the skins ſeized and condemned be diſpoſed of as the Law Requires.

The Order followes

December 21th 1682

By his Excellency

Whereas there were ſeverall Buck and Doe skins ſhip'd on Boord the ſhip *Dolphin*, in order to be exported out of this Country, Contrary to Law, and the ſaid skiñs haueing been ſeized, and condemned, and being in the hands of Coll *Wm Cole* his Maj^ties Collector of the upper Diſtrict of *James* Riuer, the one halfe part whereof doth by Law belong to the Informer. *I doe therefore hereby order and direct* the ſaid Coll *Wm Cole* to deliuer the one halfe of the ſaid skins to the Informer or Informers according to the directions of the order, by wch the ſame are condemned Giuen under my hand this 21th of *December* 1682

Tho: Culpeper.

Fryday ye 22th *Decemb^r* 1682

MR *Thomas Clayton* and other Members preſent the foll. Meſſage

Mr *Tho Clayton* Mr *Edward Reuel*, Mr *Baldwin Shepherd* and Mr *Hen: Awbery* are Nominated by the Houſe of Burgeſſes in the behalfe of themſelues and the whole Country to receiue from Coll *Wm Cole* Collector of the Upper Diſtrict of *James* Riuer the Moiety of thirteene hundred thirty three skins condemned by Judgment of the R^t Hon^rble the Lt Gouern^r and Councill according to his Excellencies Order this day, and they are hereby Impowered to giue a Recept for the ſame

Tho: Milner Cl Aſſembly

M^r *Wm Fitzhugh* and Mr *Chriſtopher Robinſon* waite upon his Excellency and acquaint him that the Lawes are Ready and amended as propoſed.

Ordered that the Clerk acquaint the Houſe of Burgeſſes that his Excellency expects their imediate attendance on him and the Councill in the Court houſe.

The Clerk Returnes

His Excellency and the Councill Repaire to the Court houſe.

Mr *Speaker* and the Houſe of Burgeſſes waite upon his Excellency in the Court houſe.

His Excellency Comands the Lawes to be read.

The Lawes being read and ſubſcribed by his Excellency and the Speaker. His Excellency diſſolues the Aſſembly in the following words.

His

His Excellencies Speech.

I think fitt to lett you know before We part, that his Majᵗᶦᵉˢ Reſentment agᵗ the late inſurrections and Coñotions by the deſtroyers of tobacco plants, & their Abettors was ſo great, that I had his eſpeciall Coñands, not to call any Aſſembly att all, till the Dignity of the Gouernment ſhould be firſt aſſerted by the puniſhment of the offenders according to Law not ſo much to value my ſelfe to you in my Condeſcending to thoſe Acts that I found Agreed to, att my arrivall, with thoſe alterations I thought neceſſary as that ſince you haue omitted the makeing a Law both for the future prevention thereof, and the rendring it yet more poenal if poſſible, you ſhould att leaſt till that can be done, ſhew yoʳ Indignation And Deteſtation thereof to the Inhabitants of yoʳ ſeverall Counties whither you are now returning, that done and ſuch other Coñands as I haue from his Majᵗʸ being performed, I ſhall hope to ſee another Aſſembly, when the Charge of this Extreame long one ſhall be paid, and the Country in a Condiᶜon to ſupport the Expence of it, and ſoe in his Majᵗᶦᵉˢ name I diſſolve this Genʳˡˡ Aſſembly, and this Aſſembly is hereby diſſolved.

A True Copy Examined by

Nicho: Spencer Secʳʸ

63-24

ATT A

GENERAL ASSEMBLY

begun att *James Citty* ye firſt day of *October*, in ye yeare of Our Lord God, one thouſand ſix hundred, eighty and five, and in ye firſt yeare of ye reigne of *James* y^e^ ſecond, of *England, Scotland, France, Ireland* and *Virginia* King, and from thence prorogued to ye ſecond day of *November* following.

[From the Public Record Office *London*, Colonial Office, Clafs 5, Vol. 1407, pp. 267-340.]

Att A Generall Aſſembly begun att *James Citty* ye firſt day of *October*, in ye yeare of Our Lord God, one thouſand ſix hundred, eighty and five, and in ye firſt yeare of ye reigne of *James* y^e^ ſecond, of *England, Scotland, France, Ireland* and *Virginia* King, and from thence prorogued to ye ſecond day of *November* following.

Die Jouis primo Octobris

MR Preſident *Bacon* & ſeverall others of the Councel mett

---

*Die Saturni 3° 8^bris^*

ORDERED, that the Clerk of ye General Aſſembly goe to ye houſe of Burgeſſes and acquaint them, that ye Councel are ſitting in ye Court Houſe, and require ye Burgeſſes immediately to attend them.

The Clerk returnes with anſwer, that ye Burgeſſes would immediately waite on ye Councel.

The Burgeſſes attend ye Councel

Vpon which ye Councel ordered ye following Inſtrument to be read by ye Clerk of ye General Aſſembly.

Virg^a^ ſs.

By His Excellency

Whereas by ye advice of his Maj^ties^ Councel of this Colony, by my writt bearing date the tenth day of *July* 1685, I have ordered & appointed a General Aſſembly to convene att *James Citty* on ye firſt of this inſtant; And *whereas* It hath pleaſed Almighty God, to viſit me with a uery uiolent ſickneſſe, wch alltogether renders me incapable of taking a Journey to *James Citty;* and *whereas* ſuch matters of moment are to be treated on, wch require my preſence; and ye Burgeſſes being now mett according to ye tenor of ye aforeſaid writs att *James Citty; I doe therefore hereby*, in his Maj^ties^ name, prorogue ye aforeſaid Burgeſſes, until y^e^ ſecond day of *November*, att wch time and place aforeſaid, I doe hereby order & appoint ye aforeſaid Burgeſſes returned elected by vertue of ye aforeſ^d^ writs, to meet me and ye Councel: Given under by hand and y^e^ ſeale of ye Colony this third day of *October* 1685 *Annoqu Regni Regis Jacobi ſecundi primo*

Effingham

---

*Die Lunæ 2do 9^bris^*

HIS Excellency ye Lord *Howard* of *Effingham* Govern^r^ and general of [and] ye Councel meet, in order to hold a General Aſſembly.

Ordered, y^t^ ye Clerke of ye Generall Aſſembly goe to as many Burgeſſes, as are in Towne, and ſignifye unto them, that this is ye day unto which his Excellency prorogued ye Burgeſſes, and therefore It is his Excellencies Command, that they repair to y^e^ ſtate houſe, and that they ſignifye unto His Excellency, what number of

of Burgeſſes are mett in Towne, that he may be ſatisfied, whether there be a ſufficient number to make election of a ſpeaker, and that they adjourne to ye morrow morning.

The Clerk returnes with anſwer, that there are twenty three Burgeſſes mett in y^e^ ſtate houſe, and withal, that he received an Inſtruction from ye Burgeſſes to ſignifye unto his Excellency, that they were of opinion, that they had not authority ſufficient to adjourne themſelves, being neither a houſe, nor having a Speaker, and that therefore they waite his Excellencies further Commands.

Ordered, that ye Clerk of ye General Aſſembly doe goe to y^e^ ſtate houſe and ſignifye to ye Burgeſſes, that it is his Excellencies pleaſure, and that his Excellency doth prorogue ye Burgeſſes to nine of ye Clock on the morrow morning, and that att ten of ye Clock they waite on him.

---

*Die Martis 9^bris^ 3°*

THE Burgeſſes attend his Excellency and Councel, and are ordered to returne to their houſe, and to proceed to ye election of their Speaker.

---

*Die mercurii 4° 9^bris^*

COLL *Ballard*, Mr *Hen: Jenkins*, with ſeven other Burgeſſes waite on his Excellency and Councel, and ſignifye that they have made choice of a Speaker.

His Excellency returnes anſwer, that when he is adviſed, ye Burgeſſes are mett in ye afternoon, he will order their attendance on him.

Poſt meridiem

HIS Excellency and Councel goe to ye Court houſe, where being ſett *It was ordered*, that ye Clerk of ye Generall Aſſembly ſhould goe to ye Burgeſſes and ſignifye unto them, that it was his Excellencies pleaſure, that they ſhould attend him and ye Councel immediately in ye Court houſe.

The Burgeſſes attend his Excellency and ye Councel in ye Court houſe and preſent Col *Wm Kendal* for their Speaker, who being approved of, made ye uſual petitions in ye behalfe of himſelfe and houſe of Burgeſſes, wch were granted, after which his Excellency made ye following Speech.

Mr Speaker *and Gentlemen of ye houſe of Burgeſſes.*

I have not much att preſent to propound to you from his Maj^ty^ but that little I have, is too much for my weak memory, to retaine; being too much impaired by my late ilneſſe, therefore muſt make uſe of my paper.

But what I ſhall propoſe to you att preſent is, what was deferred by ye deſire of ye laſt Aſſembly to this, and what I have his Majeſties particular Commands for, that you will prepare a Law, whereby all County Courts and Pariſhes may have noe power to make Bye-Lawes obligatory within their Counties and Pariſhes, till firſt approved of by his Maj^ties^ Govern^r^ and Councel.

Farther *Gentlemen*, in ye peruſing y^r^ Lawes I have obſerved in very many of them, that fines and forfeitures are to be accounted for to ye Publique (as then ſoe termed) a name certainely moſt odious under a Regal Governm^t^ and that wch doth in name, ſoe in conſequence, but little differ from that deteſtable one (Republick) wch I am very much perſuaded you all ſoe realy abhorr, that you will remove any thing, wch in ye leaſt relates to it; therefore I recommend to you, that all thoſe Clauſes in thoſe ſeveral Lawes may be repealed, and a Law paſſed, that all fines and forfeitures for ye future be appropriated to his Maj^ties^ uſe for ye benefit of this his Maj^ties^ Dominion.

I can now acquaint you, Mr *Speaker*, that Coll *Byrd*, whom I ſent with ſome of our Indians this ſummer to *Albany* to ratifye ye Peace with thoſe Northerne Indians laſt year concluded by me, is returned and hath received full aſſurance, that it ſhall be kept by them inviolable; that quiet ye frontiers have enjoyed, ſince my being there, was a motive to me to comply with that Article, wch they ſoe inſiſted on, in ſending our Indians to compleat it, and though this hath been ſome charge att preſent, yet I ſuppoſe you may eaſily find an expedient in a ſhort time to be reimburſt.

I have obſerved, Mr *Speaker*, that ſince ye additional duty hath been laid on Tobaccos, many ſeem to be diſcouraged, either from ſhiping their preſent Crops, or planting any for ye future. I cannot but wonder at their cautious, or rather, peeviſh temper, for if they conſider his Majeſties gracious diſpoſition, towards all his dutiful ſubjects, they might reſt aſſured, that nothing will be acted to ye diſadvantage of this his Majties ſoe conſiderable a Dominion wch his ſacred Majty has vouchſafed to ſignifye in a letter to me, wch ſhall be communicated to you: his Majties peaceable acceſſion to his rightfull Throne hath given all good people an happy proſpect of his proſperous and glorious reigne, eſpecialy when ſeconded by ſuch ſignal demonſtrations of ye Almighties care and protection over him, in giving him ſuch happy victories agt his Enemies and bringing thoſe notorious Rebels ſoe Speedily to condigne puniſhment, for wch ſoe great mercies, I hope, wee ſhall throughout ye whole Colony, ye next *Sunday*, offer up all our cordial praiſes and thankſgivings; Therefore, Mr *Speaker and you Gentlemen of the houſe of Burgeſſes*, I ſpeak to you as ye repreſentatives from all parts; I ſhould be aſhamed, ſhould this prove ye leaſt diſcouragement to any, but rather a motive to all good ſubjects to be more vigorous in that employ, eſpecialy when reaped ſoe plentifully againe in ye Glory of ye Crown and honr and ſafety of yr nation.

As to thoſe affaires, wch may conduce to ye advantage of yr Country, you are better Judges, than I; therefore ſhall leave them to yr conſideration, and only give you the aſſurance, that I ſhall be very ready to comply with whatever may contribute to it.

His Excellency having ended his Speech, ordered his Majties moſt gracious letter bearing date ye 26th of *June* 1685 to be read; as likewiſe the Articles of Peace ratifyed by ye Honble Col *Wm Byrd* agent for this Colony, with ye *Seneca*, *Maquaſe*, *Oneydes*, *Coyouges*, & *Onnondages* Indians att *Albany* on ye day of 1685

Die Jouis 9bris 5to

COL *Thomas Ballard*, Col *Wm Loyd*, and ſix other Burgeſſes waite on his Excellency, and on ye behalfe of their houſe humbly ſupplicate his Excellency to aſſigne Councel to ſwear the reſpective members of this Aſſembly, as likewiſe to iſſue a new writt directed to ye ſheriffe of *Middleſex* County, for ye election of another Burgeſſe in ye place of Majr *Robert Beverley*, who being elected clerk of ye houſe of Burgeſſes is thereby rendered incapable to ſerve as a Burgeſſe.

His Excellency thereupon ordered ye following Commiſſion to be drawn.

Virginia ſs:

By his Excellency

I doe hereby nominate, order and appoint Col *Wm Cole* and Col *John Lear* two of his Majeſties Councel of State in this Colony to adminiſter ye oathes of Allegiance and Supremacy, as likewiſe the oath of a Burgeſſe to euery individual member of this Aſſembly; Given under my hand and ye ſeale of ye Colony this fifth day of *November*, in ye yeare of our Lord God one thouſand, ſix hundred, eighty and five, and in ye firſt year of his Majties reigne

Effingham

Die

Die Veneris 6to 9bris

COL *Wm Cole* and Col *John Lear* goe to ye houſe of Burgeſſes and adminiſter ye oathes of Allegiance and Supremacy, as likewiſe ye oath of a Burgeſſe to every member preſent in ye ſtate houſe

---

Die Saturni 7mo 9bris

CAPT *Wm Robinſon* and other Burgeſſes bring ye following meſſage

November 7th 1685.

By ye Houſe of Burgeſſes

Capt *Wm Robinſon*, Mr *Wm Randolph*, Mr *Jo*s *Braſſeur*, Capt *John Cuſtis*, Capt: *John Smith*, Majr *Samuel Swan* are appointed by this houſe to waite upon his Excellency, and to requeſt, his Excellency will pleaſe to aſſigne Councel to adminiſter ye uſual oathes to ye remaining Burgeſſes yet unſworne; as alſoe to adminiſter ye uſual oaths to *Robert Beverley* their Clerk; and further to entreat his Excellencies favour to this houſe in ſending them his Majties moſt gracious letter, for their peruſal, and for a copy of his Excellencies Speech made to them on *wedneſday* laſt.

Teſt Robert Beverley Cl Aſſbly

His Excellency acquaints ye Burgeſſes, wch preſented ye former paper, that one of ye Councel being abſent, wch he Commiſſionated to ſwear ye houſe of Burgeſſes, he will appoint one other in his room, provided ye Houſe of Burgeſſes ſitt in ye afternoon, and that he will ſuddenly ſend to their houſe his Majeſties moſt Gracious letter and a Copy of his own Speech, wch his Excellency accordingly did.

The Gentlemen return

Capt: *Robinſon* and five other Burgeſſes waite upon His Excellency and Councel, and ſignifye that ye houſe of Burgeſſes have adjourned until nine of ye Clock on *monday* morning.

The Gentlemen return

Die Lunæ 9o 9bris 1685

MR *John Braſſeur* with five other Burgeſſes waite upon his Excy and Councel and preſent ye following meſſage

November 9th 1685

By ye Houſe of Burgeſſes

Mr *Jo*s *Braſſeur*, Col *Arthur Smith*, Capt: *John Smith* Mr *Wm Wilſon*, Mr *Tho: Lear* Capt: *John Cuſtis* Are appointed by this houſe to requeſt his Excellency to aſſigne Councel to give ye uſual oaths to ye remaining Burgeſſes yet unſworne, and that his Excellency will alſoe pleaſe to direct thoſe Councellors to adminiſter ye uſual oaths to *Robert Beverley* their Clerk.

Teſt Robt Beverley Ck Aſſbly

His Excellency acquaints ye Burgeſſes, that Councel ſhall be forthwith aſſigned to ſwear ye remaining Burgeſſes, yet unſworne, as likewiſe their Clerk

The Burgeſſes returne

Ordered, that ye Clerk of ye General Aſſembly goe to ye houſe of Burgeſſes and preſent to Mr *Speaker* his Majties letter of ye 26th of *June* 1685, as likewiſe a copy of his Excellency's Speech.

Col *Wm Cole* and Col *John Lear* having received from his Excellency ye following Commiſſion, goe to ye houſe of Burgeſſes, and ſwear ye Burgeſſes yet unſworne, as likewiſe ye Clerk of ye houſe of Burgeſſes.

By

By his Excellency

I doe hereby nominate, order and appoint Col *Wm Cole* & Col *Jo^n Lear* two of his Maj^ties^ Councel of ſtate in this Colony to adminiſter ye oaths of Allegiance and ſupremacy, as likewiſe ye oath of Clerk of ye Aſſembly to Maj^r^ *Robert Beverley;* Given under my hand and y^e^ ſeale of ye Colony this ninth day of *November* 1685, and in ye firſt year of his Maj^ties^ reigne.

Effingham

---

*Die Martis 9^ber^ 10mo* 1685

LT COL *Arthur Smith* and three other Burgeſſes waite on his Ex^cy^ and preſent ye following meſſage

November 10th 1685

By ye houſe of Burgeſſes

Lt Col *Arthur Smith*, Mr *Tho: Cheeſeman*, Capt: *Henry Batts*, Mr *Hen: Applewhaite* are appointed to waite upon his Excellency, and requeſt ye favour of Councel to adminiſter ye uſual oaths to ye Burgeſſes yet unſworne.

Teſt Robert Beverley Clk Aſſ^bly^

Ordered, that Col *Wm Cole* and Col *John Lear* goe to ye houſe of Burgeſſes and ſwear ye Burgeſſes yet unſworne.

November 11th 1685

ORDERED, that ye Clerk goe to ye houſe of Burgeſſes and acquaint Mr *Speaker* and ye Houſe, that his Excellency commands their attendance on him and ye Council, in ye Councel Chamber

Mr *Speaker* and ye reſt of ye Burgeſſes attend.

His Excellency acquaints them, that by reading of ye former Journals he finds, that their houſe have not obſerved ye method as formerly in giving ye Gover^nr^ and Councel an account of ye going out of their Committees, and who are Chairemen thereof; as likewiſe that he finds ye Committee of Claimes have ejected ye Claime made by Capt: *Davis* ye Sheriffe of *North Carolina*, for ſervices done for *Virginia*, as likewiſe ye Claime made by Capt: *Tho: Goodwin* Sheriffe of *Nanzemond* County, who was employed for y^e^ ſervice mentioned in his Claime, by his Excellency and Councel, and therefore needed not to have his account proved in ye County Court, wch his Excellency deſires, their houſe would take into their conſideration & return to their houſe, ye better to conſider of it.

Mr *Speaker* and ye houſe return.

November 12th 1685

CAPT: *Wm Robinſon* &c brings ye following meſſage

Thurſday November 12th 1685

By ye houſe of Burgeſſes

Capt: *Wm Robinſon*, Mr *Richd Whittaker*, Maj^r^ *Jo^n Stith*, Mr *Thomas Barber*, Capt: *Lawrence Waſhington*, Mr *Humphry Harwood* & Mr *Tho: Lear*, are appointed by this houſe forthwith to wait upon his Excellency and preſent him with this humble anſwer from ye houſe, to what his Excellency yeſterday was pleaſed to declare to their Speaker & to pray his Excellency will accept the ſame as a full and true anſwer thereof.

Teſt Robert Beverley Clerk Aſſ^bly^

That

That ye houſe of Burgeſſes alwaies are deſirous to ſatisfye all ſuch juſt Claimes, as ſhall come before them, and becauſe y^t noe perſon demanding any ſuch Claimes might looſe his juſt right for want of knowledge, how to bring them before them, did in ye Aſſembly held att *Middle Plantation October* 10th 1677 make a publick order (a copy whereof is herewith preſented) fully in that directing ſuch a method, as whoſoever purſued it, could not faile of being allowed his Claimes; and whereas they are ſoe farr from diſcouraging any neighbour, from y^e ſervice of this Country by y^e ſlight regard thereof, that they are as willing altogether to reward and anſwer them in their juſt Claimes, as they are ye Inhabitants of this Country, yet they humbly conceive, that all perſons are equally oblidged to make their Claimes appear by ſuch waies & methods, as in ye aforeſaid order is provided; The which rules Mr *Goddin* Sheriffe of *Nanzemond*, and Mr *Davis* of *Carolina*, as not failinge to uſe, as to make any other Satisfaction of their Claimes being due, to ye Committee appointed for examination of all Claimes, ye Houſe of Burgeſſes humbly conceive, they had juſt reaſon to diſallow and eject them.

And that whereas It was heretofore uſual & cuſtomary for ye houſe to ſignifye to ye Govern^r when any Committees were appointed by ye houſe, yet it was never done, but when they made their addreſſes for Councel to be aſſigned to ſit with them; and that ſince It has pleaſed ye Govern^r to put a ſtop to that practice, they humbly conceive, ye cauſe and ſole end being wholy removed, that they need not put y^r Excellency to ſoe much trouble, as ye tedious preſentment of every Committee muſt needs create.

Teſt Robert Beverley Clk Aſſ^bly

The ord^r of Aſſembly followes

Att a Grand Aſſembly begun att *Middle Plantation* att ye Houſe of Capt: *Otho Thorp* ye 10th of *October Anno Dom̃* 1677.

Ordered, that ſuch accounts as are brought ag^t ye Publick for proofe to the County Courts for ye time to come, that ye true Coſts, and full value of all ſuch things, as are therein contained, be alſoe made out, att y^e ſame Courts, either by evidence or ye oath of ye Claimer, and ye like for all proviſions expended for Publick uſe, and ſuch valuation and accounts, as ſhall Come ſoe returned, ſhall be allowed by ye Publick, without abatement: and all juſt accounts and claimes, wch come too late this Aſſembly to be examined by ye Committee, and alſoe all ſuch, as are yet to be made, ſtand refferred to ye examination and allowance of ye next Aſſembly.

Copia Vera

9^ber^ 12th 1685 *Teſt Robert Beverley* Clk Aſſ^bly

The Gentlemen return

The Clerk carries ye following meſſage in anſwer to ye laſt.

By his Excellency.

In Anſwer to what was preſented to me by ye houſe of Burgeſſes I make this return, that I think, ye order wch you Specifye, made att *Middle Plantation*, was grounded upon due conſideration, in regard it oblidges every perſon to make his claime appear either by oath or evidence, and ſoe prevents ye bringing in extravagant accounts, but ye method not ſoe proper, being only by order of Aſſembly, therefore myſelfe & Councel recommend to you, that that order be paſſed into an Act, with ſuch limitations and conditions, as ſhall be thought fitt and neceſſary, but doe not judge, that y^t order does in any waies comprehend any claimes, made by our neighbouring Colonies for ſervices done to *Virginia*, therefore I expect ye Claime made by the officer of *North Carolina* be allowed.

And as to y^r anſwer to my demand concerning y^r Committees, I allow it as full and ſatisfactory

9^ber^ 12th 1685

Effingham

November

November 13th 1685

COL *Lemuel Maſon* &c come to his Excellency & preſent the following meſſage

Fryday November 13th 1685.

By yᵉ Houſe of Burgeſſes

Col *Lemuel Maſon*. Col *John Weſt*, Capt: *Wᵐ Robinſon* Majr *Joˢ Stith* Mr *Wᵐ Anderſon*, Col *Arthur Smith*, Mr *Richd Whittaker*, Mr *Tho: Cheeſeman*, Mr *Tho: Lear*, Mr *Hen: Applewhaite*, Mr *Humphry Harwood*, Mr *John Braſſeur*, Capt: *Wᵐ Ball*, Capt: *David ffox*, Capt: *Law: Waſhington* and Mr *Xpher Neale* Are appointed by this houſe to ſignifye to his Excellency, that by yᵉ opportunity of Capt *Wynns* ſhip, this houſe conceive it an incumbent duty upon them to make their humble addreſſes to his Majeſty, wᶜʰ in ſome part they have prepared, and that it is their humble deſires to his Excellency and to the Honᵇˡᵉ Council of State, that they will pleaſe to joine with them, in ſuch addreſſe, wᶜʰ that they may know the houſe of Burgeſſes have ordered them to preſent to his Excellencies and their Honʳˢ view, what they have already done therein, and humbly pray their concurrence and directions, how ye ſame ſhall be ſtiled, directed, amended & concluded.

Teſt Robert Beverley Clk Affᵇˡʸ

The addreſſe read, ſeriouſly conſidered, and ſome amendments being reſolved on, yᵉ following return was ordered, wᶜʰ was carried by yᵉ Clerk of yᵉ General Aſſembly.

By his Excellency

*M*r Speaker *and Gentlemen of yᵉ houſe of Burgeſſes.*

I have even now received an addreſſe from yr: houſe to his moſt Sacred Majeſty, concerning the late Impoſition upon Tobaccos; I deſire ſome members of yr houſe may be appointed to hold a conference about yᵉ ſame, with Col *Wᵐ Cole, Ralph Wormeley* Eſqr, Col *Richd Lee* and Col *John Page*, ſouer of his Majeſties Councel of this Colony, whom I have aſſigned to mannage it; wᶜʰ conferrence I deſire may be forthwith held in Eſqr *Wormeleys* Chamber; but as for myſelfe and yᵉ Councels joining with you in this addreſſe, I think it needleſſe, ſeeing it comes from you as the repreſentatives of yᵉ Colony.

9ᵇʳ 13th 1685

Effingham

The Gentlemen of yᵉ Councel appointed by his Excellency to hold a conferrence with the Burgeſſes return and report, that yᵉ Committee appointed by yᵉ houſe to mannage yᵉ conferrence conſent to yᵉ amendments propoſed, as likewiſe that reaſons be annexed to yᵉ addreſſe,

---

November 14th 1685

COL *Lemuel Maſon* &c. brings yᵉ following meſſage

Saturday November 14th 1685

By the Houſe of Burgeſſes.

Col *Lemuel Maſon*, Col *Joˢ Weſt*, Col *Arthur Smith*, Capt: *John Cuſtis*, Mr *Tho: Lear*, Capt: *Law: Waſhington*, Mr *Richd Whittaker*, Capt: *Wᵐ Robinſon* are appointed by this houſe forthwith to acquaint his Exᶜʸ that it is ye humble ſuit and earneſt ſupplication of this houſe to his Excellency, that he will pleaſe to admit, that yᵉ Honᵇˡᵉ Councel may joine with yᵉ houſe of Burgeſſes in their neceſſitous and dutifull addreſſe to his Majeſty relating to the new Impoſt laid upon Tobaccos & that his Excellency will pleaſe to ſignifye to this houſe, with his firſt conveniency, his aſſent therein, to ye intent ſuch addreſſe, as becomes them to offer to His Majeſty may be prepared and made ready to be ſent by Capt: *Wynns* ſhip now upon ſailing directly for *England*.

Teſt Robt Beverley Clk Affᵇˡʸ

To

To wch ye following Anſwer was ſent.

By his Excellency.

Mr Speaker *and Gentlemen of ye Houſe of Burgeſſes.*

I have received yr humble ſuit and earneſt requeſt, yt ye Honble Councel may joine with yr houſe in yr Addreſſe to his Majeſty, but neither myſelfe, nor Councel think it proper, it being humbly offered by you, as the repreſentatives of ye Colony, therefore I ſend you this as my final anſwer.

November 14th 1685.

Effingham

The Addreſſe followes

To the Kings Moſt Excellent Majeſty.

The Humble Addreſſe and Supplication of yr Burgeſſes now Aſſembled in Virginia *on behalfe of themſelves, and all ye Commons of yr Maieſties ſaid Dominion*

As it is an inexpreſſible comfort and delight to us yr Majties poor, but moſt dutiful and obedient ſubjects to ſee in yr Majties moſt Gracious letter to his Excellency ye Lord *Effingham*, yr: Majeſties Lt and Govern Genl of this yr: Dominion, and by him communicated to us, with what Princely favour, yr Majeſty was pleaſed to receive the tenders of that duty and obedience, wee moſt rightfully owe to you our Gracious Soveraigne, and wch we ſhall at all times, when yr: Majties ſervice requires, make good with our lives and fortunes; ſoe wee want words to expreſſe our exceeding joy for yt Majeſties ſo many ſignal victories over yr Majties moſt wickedly Rebellious and traiterous ſubjects, all whom wee with glad and thankfull hearts, underſtand are deſervedly delivered up to Juſtice, and thereby yr Majties reigne over us eſtabliſhed in ſure peace, wch ye ſame God, who hath protected yr ſacred perſon, in all adverſities, make long, happy and Glorious.

Yr Majeſties royal favours towards us yr poor, but moſt loyal and obedient ſubjects loudly proclaimes thoſe many gracious inclinations inhaerent in yr Princely mind, filling us with admiration of yr royal goodneſſe towards us yr Majties poor ſubjects, ſignifyed in yr Majeſties moſt gracious meſſage to yr great Councel of Parliamt by Sr *John Erneley* Knt whereby ye Majeſty was pleaſed to declare yr royal intentions, that if ye additional duty upon our only Commodity Tobacco lately granted to yr Majeſty upon all Tobacco, of ye growth of this yr Majeſtys Dominion ſhould prove deſtructive to Trade, and too prejudicial to yr Majties Plantations, yr Majty out of ye princely care of all yt good ſubjects would be graciouſly pleaſed to diſpence with ye payment of that duty, wch royal declaration, as it hath with great comfort revived ye drooping ſpirits of yr Majties poor, and till then miſerable ſubjects, ſoe thoſe beams of yr royal bounty hath emboldned us, with minds full of all loyal & dutiful and obedience to proſtrate ourſelves att yr Royal feet, and become humble ſupplicants to you our moſt gracious and dread ſoveraigne, that of yr accuſtomed Grace and Goodneſſe, yr Majeſty will be graciouſly pleaſed to diſpence with ye payment of that duty, which if it continue, will in little time be very ruinous to all yr Majties moſt dutiful ſubjects of this yr Majties moſt auntient Colony and Dominion of *Virginia* (amoungſt divers others) for theſe reaſons hereunto annexed, wch wee humbly offer to yr Majties Gracious conſideration.

1st It is not above three or fower yeares, ſince great quantities of Tobacco were ſold for leſſe, then ye freight, Cuſtome, and other incident charges amounted to, wch forced ſeverall perſons to deſert their own Tobaccos, although for two yeares paſt ye ſmalneſſe of our Crops has a little advanced ye price, and thereby in ſome meaſure relieved our preſent neceſſities, but this new Impoſition laid in ſuch a juncture when ye current price of Tobacco yeilded very little more, than ye former Cuſtome at two pence ℔ pound, with freight &c it muſt neceſſarily follow, wee cannot ſupport ourſelves under ye burthen thereof.

Secondly, It hinders many ſhips and adventurers from bringing Goods for ye ſupply of our neceſſities, ye firſt not daring to hazard their freight on ſoe low valued a Drug, and ye laſt foreſeing their impoſſibility of gaine, wch alſoe takes off ye employ of ſeveral thouſand marriners.

Thirdly

Thirdly That ye laſt year, ye poore planter, who haveing ſoe low prices from ye merchants here, adventured their ſmal quantities of Tobacco for *England* in hopes of a better produce, but by this Impoſt (ye planter having noe money of his own to clear it) their Correſpondents refuſed to take up, clear or engage for it, ſoe that our bills of Exchange are and will be proteſted, our ſupplies not returned; and what wee hoped would have fully releived our neceſſities, brought us further in debt, and added ye more to our miſery.

Fourthly; The additional duty, if continued will neceſſitate ye Inhabitants to contrive other waies to cloth their families, than from *England*, as heretofore they have done, to wit, by following Manufactures here, ye which if it happens, that they cannot performe, they will then be forced to remove themſelves and families to other places.

Fifthly That whereas ye Act of Parliament declares ye Impoſt to be laid only upon ye Conſumptioner, Shopkeeper, and Retailer, yet wee deplorally find, that this and all other Impoſitions upon Tobaccos falls upon ye poore Planter and Importer.

November 16th 1685

COL *Lemuel Maſon* &c wait upon his Excellency & preſent ye following meſſage.

By ye houſe of Burgeſſes,

*Monday 9^ber^* 16th 1685

Col *Lemuel Maſon*, Capt: *Jo^n^ Cuſtis*, Capt *Wm Robinſon*, Capt: *Wm Ball*, Maj^r^ *Jo^n^ Stith*, Col *Arthur Smith*, Mr *Tho: Lear*, Capt: *Hen: Batts* Are appointed by this houſe to give his Excellency ye thanks of this houſe for ye great favour of his Excellencies care in ye tranſmitting their addreſſe to his Majeſty and to requeſt, his Excellency will pleaſe to take upon him ye trouble of a duplicate to ſend by ye next conveniency.

Teſt Robt Beverley Clk Aſſ^bly^

They are alſoe to requeſt, his Excellency will pleaſe to aſſigne Councel for adminiſtring ye uſual oaths to Mr *Matthew Kemp*, a new returned Burgeſſe for *Middleſex* County.

Teſt Robt Beverley Clk Aſſ^bly^

To wch his Excellency made anſwer, that he would be alwaies ready to ſerve ye houſe of Burgeſſes, and that according to their deſire, Councel ſhould be aſſigned to ſwear Mr *Matthew Kemp* a Burgeſſe.

The Commiſſion followes

By his Excellency

I doe hereby nominate, order and appoint Col *Wm Cole* and Col *Jo^n^ Page* two of his Majeſtys Councel of State in this Colony, to adminiſter ye oaths of Allegiance and ſupremacy, as likewiſe ye oath of a Burgeſſe to Mr *Matthew Kemp*, who is lately returned a Burgeſſe, for *Middleſex* County; Given under my hand and ye ſeale of ye Colony this 16th day of *9^ber^* 1685

Effingham

November 18th 1685

ORDERED, that ye Clerk of ye General Aſſembly doe goe to ye houſe of Burgeſſes and acquaint Mr *Speaker* and ye houſe, that his Excellency Commands their Attendance on him and ye Councel, in ye Councel Chamber.

Mr *Speaker* and ye Burgeſſes wait on his Excellency and Councel & acquaint his Excellency, that it is in obedience to his Commands. Upon wch his Excellency ſpoke as followes

*M^r^* Speaker *and Gentlemen of ye houſe of Burgeſſes*

What my weakneſſe att ye firſt meeting of y^r^ houſe rendered me unable to declare to you, I think neceſſary to doe now, and I doe it ye ſooner, becauſe I hope ye more buſineſſe you have to conſider of, ye more expeditious you will be, for I cannot without

ſhame

ſhame to you, take notice, that you have now ſatt neer three weeks, and not one bill, as yet, preſented to me; but indeed I cannot well expect it otherwiſe, when I obſerve your houſe not to ſitt till eleven in ye morning, nor till five in ye afternoon, but I hope, you will remedye it for ye future, elſe I tell you plainly, I muſt, according to his Majties comands to me, and in purſuance of thoſe, I acquaint you, that it is his Majties deſire, that an houſe be built fit for his Govern^r to reſide in; ye laſt ſeſſions, I was ſuch a ſtranger to ye Countrey, that I could not then determine ye propereſt place, but being now better acquainted, I judge it moſt convenient to be built on ye Govern^rs land, wch I deſire you to conſider of, and that a model of it be prepared to be preſented to his Majeſty, for his Majties approbation.

I muſt remind you likewiſe of what was omitted ye laſt Aſſembly, wch truely I could not imagine would, ſince it was ſoe particularly commanded by his Majeſty, that a Law may paſſe, whereby His Majeſties Govern^r with ye advice of ye Councel may be impowered to lay a leavy, not exceeding twenty or twenty five ℔ pole, to defray ye incident charges of ye Governm^t: I am ſure, there is not any of you, but are ſenſible how great an eaſe this will be, to every perſon, ye charges of an Aſſembly ſoe highly encreaſing ye leavy, eſpecialy as they are of late prolonged; but Mr *Speaker*, I would not be underſtood (as ſome perſons are too apt to judge) that by this method, Aſſemblies will be thought uſeleſſe, but ſhall be ready to give an aſſurance to call them ſucceſſively in ſome reaſonable time, his Majeſty having noe other end in this his deſire, but ye eaſe and advantage of his ſubjects

I have Mr *Speaker*, ſomething further to propound to you, from myſelfe and Council, wch is this, I doe intend forthwith to raiſe twenty fouer men for ye ſafety of ye Governm^t wch ſhall be paid out of his Majeſties revenue, but they being ſoe ſmal a force to reſiſt any Commotion, what is deſired of you is, that there may be twenty fouer more raiſed with Officers, and ye halfe charges of ye whole may be paid by ye Country: I will make it my care, that they may be quartered ſoe commodious and ſoe neer me, that they may be ready to ſuppreſſe any diſorder att ye firſt, or to ſend to ye heads of ye rivers upon any Alarum of ye Indians; truely ye unruely tongues of ſome of ye Commonalty in many places of this Colony have late ſoe palpably demonſtrated ye wickedneſſe of their hearts, that it hath made this method ſeem to me and ye Councel, and doe not queſtion, but it will to you, abſolutely neceſſary, therefore I promiſe to myſelfe y^r ready & chearfull complyance, it being ſoe induceing to ye ſafety and honour of this his Maj^ties Dominion.

November 19th 1685

COL *Lemuel Maſon* &c come into ye Councel Chamber & ꝑſent his Excellency with ye following meſſage.

November 19th 1685

By the Houſe of Burgeſſes

Col *Lem: Maſon*, Col *Jo^n Weſt*, Mr *Tho: Cheeſeman*, Capt: *Law: Waſhington*, Maj^r *John Stith*, Capt: *Peter Knight*, Mr *Tho: Barber* & M^r *Wm Anderſon* are appointed by this houſe to ꝑſent to his Excellency ye addreſſe about ye Quitrents, they are alſoe appointed to requeſt his Excellency, from this houſe, ye favour of a Copy of his Excellencies Speech made to them yeſterday, to ye end all due regard may be had thereto, & anſwer made according to ye weight thereof.

They are alſoe appointed to requeſt his Excellencies favour to appoint Councel to adminiſter ye accuſtomary oaths to Maj^r *Saml Weldon* one of their Burgeſſes, whom ſickneſſe hath hitherto kept abſent from this houſe, and to ſignifye to his Excellency, that too morrow this houſe will be in a readineſſe to ꝑſent his Excellency and Councel with two or three bills for Lawes.

Teſt Robt Beverley Clk Aſſ^bly

The

The Addreſſe about ye Quitrents followes.

To his Excellency Francis *Lord* Howard, *Baron of* Effingham *His Majtıes Leiuetenant and Governr General of* Virga

The houſe of Burgeſſes now aſſembled att James Citty

Humbly preſent

That for many yeares before ye happy reſtauration of his late Maty of bleſſed memory, and ſince ſuch his happy reſtauration by a Law of this Country made *Anno* 1678, even to this day, ye Quitrents due to his Majeſty for all lands in this his Majties Colony and Dominion of *Virga* have been paid and accepted in Tobaccos Att ye rate of two pence ℔ pound; and yr Excellency ye laſt *April* General Court having been pleaſed publickly to ſignifye, that for ye time to come (according to his Majties Inſtructions to yr Excellency) yr Excellency would command and expect ye ſame ſhould this year and hereafter be paid in Currant *Engliſh* money, according to ye tenor, and att ye time and dayes mentioned in all Pattents for lands.

And ye Inhabitants of this Countrey not being poſſibly able ſoe to doe, there being noe Specifical money in this Countrey, nor poſſibility of ſuch to be procured from *England*, his Majties Lawes prohibiting ye tranſportation thereof, they have under ye deep ſence of ſuch difficulty moſt humbly moved for their reſpective Counties, that yr Excellency be entreated by an humble Addreſſe to permit and grant, yt ye Quitrents due for all lands be paid and diſcharged by Tobaccos att ye prices & rates as formerly.

This Houſe doe therefore in ye names of themſelves and all ye freeholders of this his Majeſties Dominion humbly pray yr Excellency, that the Quitrents may continue to be paid and diſcharged by Tobaccos as formerly, it being not only ruinous, but utterly impoſſible to make payment thereof in Specifical moneys, as ye Pattents provide.

And as in duty bound, they ſhall ever pray &c

To wch his Excellency returned ye following anſwer in writing on ye 20th of 9ber 1685.

By his Excellency

Mr Speaker

I have received an addreſſe from yr houſe, that I would permit & allow ye Quitrents due to his Majeſty, for all lands holden of his Majeſty, in this his Colony and Dominion of *Virginia*, to be paid in Tobaccos, as formerly, by reaſon of ye great difficulty, you alledge in ſatisfying them in money, though that be ye conditions of yr Pattents, and his Majeſties particular Commands to me, either of which had you conſidered, as you ought, certainely you could have had no pretence, for ſuch and addreſſe; and indeed I was concerned to receive ſuch an one from you, when ye Crown hath been att ſoe great expence and charge to redeem them from ye hands of a Proprietor, ſolely to appropriate them to the benefit & advantage of this Colony; I did much rather expect yr humble thanks to his ſacred Majeſty, that he hath ſoe long forborne his juſt dues, than that you ſhould make ye leaſt exception, he now requires it.

And as to what you inſtance, that there is a Law, by wch ye Quitrents have been payable in Tobaccos att two pence ℔ pound, I conceive you miſunderſtand it, but if there be ſuch a Law, I appeal to yrſelves, whether any Law can extend ſoe far, as to prejudice or invade any mans property, much leſſe his Majties; but being aſſured of his Majties gracious diſpoſition to render all things as eaſy to his loving ſubjects, as poſſible, I ſhall ſoe far comply, that where by reaſon of ye ſcarcity of money, it may be difficult for many to pay their Quitrents in Specie, I will give orders to ye ſheriffs to receive them in Tobaccos at one penny ℔ pound to ye value of the money, wch ye conditions of their pattents oblidges them to.

November 20th 1685

Effingham

Some members of ye houſe of Burgeſſes bring ſome bills to his Excellency, to wch the following anſwer was returned.

By

By his Excellency

*M*r Speaker

I have received this day divers propoſitions from yr houſe in order to ye making them Lawes, but finding, that they paſſed yr houſe, only ye firſt vote, I judge it not proper for myſelfe and ye Councel to take cognizance of them, therefore deſire you will proceed to ye paſſing yr third vote on them, and then they ſhall be conſidered by myſelfe and ye Councel, and be diſpatched as ſoon as poſſible.

9ber 20th 1685

Effingham

The two aforegoing meſſages were delivered to Mr *Speaker* in ye houſe of Burgeſſes by ye Clerk of ye General Aſſembly.

9ber 23d 1683 [1685]

CAPT: *W*m *Robinſon* &c come into ye Councel Chamber & preſent his Excy with ſix ſeveral propoſitions, wch follow with his Excellencies anſwer to each.

An Act prohibiting County Courts &c to make bye-Lawes

That It may be enacted by ye Gouernr Councel and Burgeſſes of this Generall Aſſembly and ye authority thereof, that for ye time to come noe County Court, Pariſh, or Veſtry ſhall have power in themſelves or joined with any other to make any Bye-Lawes, wch ſhall be of force or binding to any ye Inhabitants of this his Majties Colony & Dominion of *Virginia*, until ye ſame ſhall be firſt approved of, conſented to and allowed by his Majties Governr and Council of ſtate here in *Virginia*

His Excellency thought fitt to add

And that ſuch Bye-Lawes ſoe made by County Courts, Pariſhes, or Veſtries be preſented to his Majeſties Governr and Councel, att ye enſuing Genl Court, to be conſidered of, and if allowed, then to be recorded in the Secretaries office.

That ye Act made 8th of *June* 1680 about killing of Fiſh &c be repealed.

Aſſented to

That ye 12th Act of Aſſembly made 10th of 9ber 1682, for ye advancement of manufactures be continued &c

Aſſented to

That all horſes breaking into fenced grounds, fower foot and an halfe high, ye owner of ſuch horſe or horſes ſhall be deemed treſpaſſers. This is already provided for by ye ſecond Act of Aſſembly in 1670

That debts contracted or to be contracted in *Maryland* ſhall be recoverable in *Virginia*.

Aſſented to

That ye ſoldiers at ye heads of ye fower great Rivers be diſbanded on ye 25th of *X*ber next.

As to this Bill, It is not thought ſafe totally to diſband theſe forces att ye heades of ye Rivers, until you have propoſed ſome other waies for ye ſecurity of ye Country.

E Chilton Cl Genl Aſſbly

By his Excellency

*M*r Speaker

9ber 23d 1685

I have had this day preſented to me divers bills from yr houſe in order to mine and ye Councels aſſent to them, all wch wee have returned, with ſuch alterations, additions and amendments, as are thought requiſite

Effingham

9ber

9ber 25th 1685

LT COL *Arthur Smith* &c preſent his Excellency with ye two following bills;

The one, that all Claimes ſhall be proved in County Courts &c To wch his Excellency added theſe words, and that this Act ſhall be read and publiſhed in every Pariſh Church in Each County, by ye Sheriffe of ye County or his Deputy one *Sunday* at leaſt before ye holding of ye Court of Claimes.

The other was about Runawayes, wch was aſſented to.

wch two bills were by ye Clerk of ye General Aſſembly returned to Mr *Speaker* in ye houſe of Burgeſſes, with ye following meſſage.

By his Excellency

Mr Speaker

I have received ſeverall bills from yr Houſe in order to mine and ye Councels approbation of them, but find only one in anſwer to what I have recommended to you, therefore I deſire you forthwith to proceed to ye conſideration of ye reſt.

Effingham

9ber 25th 1685

Majr *Arthur Allen* with other members from ye houſe of Burgeſſes, waite upon his Excellency and humbly deſire a copy of his Majties letter directed to his Excellency for ye payment of all Quitrents, in ſpecie in money *Sterl*

The Gentlemen returne.

Ordered, that ye Clerk forthwith draw out a true Copy of ye above letter and carry ye ſame to ye houſe of Burgeſſes, wch was accordingly done.

Mr *Joa Braſſeur* &c brings ye following meſſage.

November 25th 1685

By ye Houſe of Burgeſſes

Mr *John Braſſeur*, Capt *Henry Batts*, Mr *Richd Littlepage*, Mr *Richd Rennon* [*Kennon*], and Mr *Wm Anderſon* are appointed to preſent to his Excy and Councel

The bill for ſetling Ports, wharfes, Keys and Places for landing & ſhiping off all Goods and merchandizes to be imported or exported & preventing frauds in his Majeſties Cuſtomes and Revenues.

The Bill Declaring ye 107th Act in ye Printed book to be of force both wch paſſed ye third vote this day in ye houſe and to pray their concurrence and aſſent to ye ſame.

Teſt Robert Beverley Clk Aſſbly

9ber 27th 1685

HIS Excellency with ye advice of ye Councel having well weighed ye Bill for Ports &c and made ſuch alterations and amendments, as were thought fitt, ordered ye ſame to be returned to ye houſe of Burgeſſes together with that about ſlips and ſeconds, ye laſt of wch was aſſented to.

Col *Lemuel Maſon* &c preſents ye two following addreſſes to his Excellency.

To his Excellency Francis *Lord* Howard, *Baron of* Effingham *his Majties Lt and Govern*r *General of* Virginia

The Houſe of Burgeſſes now Aſſembled att James Citty

Humbly preſent

This Houſe receiving yr Excellencies anſwer to their addreſſe about ye Quitrents, doe moſt readily ſubmit to his Majeſties Commands, and will ever endeavour (as they acknowledge it their duty) to anſwer ye ſame with their utmoſt obedience, but becauſe Specifical money for diſcharge of ye Quitrents is utterly impoſſible to be procured, and ye general indigency of this Countrey ſoe conſpicuous and apparent, ye houſe of Burgeſſes therefore under ye deep ſence of ye want of all ye Inhabitants in their reſpective Counties beg leave again to reiterate their former petitions, and with freſh ſupplication on their behalfe to move, yr Excellency would pleaſe to accept of, and diſpence with ye payment

of

of ye Quitrents as formerly for this year, until ſuch new Inſtructions ſhall arrive about ye ſame from our preſent moſt Gracious Soveraigne, as will either confirm ye laſt of his late Majeſty of moſt bleſſed memory, or permit and order ye payment thereof, as heretofore uſually hath been accuſtomed.

And foraſmuch as y^r^ Excellency thought it not ſafe totally to diſband ye forces att ye heades of ye rivers; Ye Houſe of Burgeſſes humbly deſire to informe y^r^ Excellency, with their reaſons, for their urging ye paſſing that bill.

1^ſt^ That it ſeemes ſafe to this houſe, becauſe ye diſbanding of ye ſoldiers, is generaly deſired by ye frontier Counties, who have moſt reaſon to aske their continuance, when need is, as being neareſt ye danger, & moſt expoſed to ye plunders and cruelties of ye Indian Enemy.

2dly. That ye whole Countrey have received ſoe great a ſatisfaction of a ſure peace by y^r^ Excellencies great care, prudence & perſonal endeavours, being confirmed and ſetled with ye Northern Indians, in ye happy effects they have already experienced, that they alſoe pray ye great charge and expence ye Countrey is yearely att in maintaining ye ſoldiers may be now taken off, ſince they apprehend noe neceſſity for their longer continuance.

wch reaſons wee humbly ſubmit to y^r^ Excellencies conſideration & doubt not, but that y^r^ Excellencies inclinations ſoe far tender ye eaſe of this needy Countrey, as to approve ye reaſons aforementioned ſufficient for paſſing ye Bill to repeal ye Law for placing ye ſoldr^s^ att ye heads of ye fower Rivers.

To His Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Maj^tie^s L^t^ and Govern^r^ General of* Virginia.

The Houſe of Burgeſſes now Aſſembled att James Citty.

Humbly Preſent

That whereas ſeverall propoſitions have been preſented for ye reviſing of ye whole body of ye Lawes, within this his Maj^tie^s Colony & Dominion of *Virginia*, whereby they might be made fitt by an humble addreſſe to be preſented to his moſt Gracious Majeſty for his Royal aſſent and confirmation, in conſideration of wch propoſitions, This houſe inſpecting ye Journal of ye laſt Aſſembly in *April* 1684, doe find That your Excellency was pleaſed to promiſe to make it y^r^ care, that ye Lawes ſhould be reviſed, with directions for ſuch obſervations and conſiderations, as ſhould be found neceſſary to be made therein, and to be reported to the then next following Aſſembly for their conſideration and approbation, to ye intent they might by ye Genl Aſſ^bly^ be humbly preſented to his Majeſty, as ye body of ye Lawes of this his Majeſties Dominion for his royal confirmation.

And ye houſe of Burgeſſes now aſſembled having as yet received noe intimation from y^r^ Excellency of any ſuch reviſal & conceiving ye ſame moſt neceſſary to be done, humbly pray y^r^ Ex^cy^ That if ye ſaid Lawes are ſoe reviſed and prepared, you will pleaſe to tranſmit them to this houſe for their peruſal and conſideration.

Ordered, that ye Clerk of ye General Aſſembly goe to ye houſe of Burgeſſes and deliver ye following anſwers to ye two laſt addreſſes.

By his Excellency

9^ber^ 27th 1685

*M^r^* Speaker

I have this day received two Addreſſes from your houſe, the one that I would permit ye Quitrents to be collected, as formerly, to which I thought, I had before given you a ſatisfactory anſwer, and did judge, you would have received it ſoe, eſpecialy when you find in his late Maj^tie^s letter to me, his poſitive Commands therein, to wch I deſire, you'l give me leave to be obedient, as well as y^rſelves, wch you very juſtly in y^r^ addreſſe acknowledge ye duty; and whereas you deſire it to be remitted, until his Majeſties pleaſure be known therein, that is already declared, as you may be fully ſatisfied, by his Maj^tie^s Proclamation att his acceſſion to ye Crown.

And as to the latter part of y^r^ addreſſe, neither myſelfe nor ye Councel judge y^r^ reaſons convincing enough, to make me recede from my former opinion, that till there

be

be ſome other way propoſed for the ſecurity of ye Countrey, it will not be ſafe thoſe forces att ye heads of ye Rivers ſhould be diſbanded, wch when provided for, y^r^ deſire may be ye eaſier conſented to, with this addition, that if any diſturbance att home, or Invaſion from ye Indians, make it ſeem neceſſary to ye Govern^r^ and Councel to raiſe any forces, they ſhall be paid by ye Publick charge att ye rate provided for by ye laſt Act.

And as to y^r^ other addreſſe, that ye Lawes may be reviſed, there is ſome progreſſe made in it, but not yet perfected.

Effingham

Ordered, that ye Clerk carry ye following meſſage to ye houſe of Burgeſſes.

By his Excellency

*M^r^* Speaker.

Finding y^r^ Houſe hath ſatt ſoe long a time, and as yet, to little purpoſe, I think it very requiſite to take notice of it, and therefore deſire you forthwith to prepare thoſe bills given you in charge by me, and that you take order, that ye Claimes may be preſented to myſelfe and ye Councel to be conſidered of, that wee may Speedily put an end to this ſeſſion, for ye eaſe of ye Countrey and for ye better payment of ye Publick Debts

9^ber^ 27th 1685 *Effingham*

November 30th 1685

COL *Tho: Ballard* &c comes and delivers ye following meſſage.

November 30th 1685

Ordered, that Col *Tho: Ballard*, Maj^r^ *Arthur Allen*, Capt: *John Smith* Mr *Matthew Kemp*, M^r^ *Wm Hardridge* and M^r^ *Wm Wilſon* doe ſignifye unto his Excellency and Councel ye requeſt & humble ſupplication of this houſe is that their Hon^rs^ will pleaſe to admit ye Bill for Ports &c may paſſe their aſſent, with one Towne, for each County, it being otherwaies confined, appeares to them deſtructive to Trade and too burthenſome to ye Inhabitants of this Countrey and to ſignifye alſoe to his Excellency and their Hon^rs^ that this houſe hath agreed to all other ye alterations and amendments made by them in ye ſaid Bill.

Teſt Robt Beverley Clk Aſſembly.

---

*X^ber^* 1^ſt^ 1685

THE Bill for Ports &c. was peruſed, ſeriouſly conſidered, aſſented and returned to ye houſe.

Col *Wm Loyd* with other Burgeſſes p̄ſent ye following meſſage

*X^ber^* 1^ſt^ 1685

By ye houſe of Burgeſſes.

Col *Wm Loyd*, M^r^ *Wm Hardridge*, M^r^ *Wm Wilſon*, M^r^ *Wm Anderſon* and Capt: *Wm Randolph* are appointed by ye houſe to ſignifye to his Excellency, that this houſe requeſts, his Excellency will pleaſe to informe, what armes are come to his hands belonging to ye Country ſince ye laſt Aſſembly, either from Mr Auditor *Bacon*, Col. *Jo^n^ Weſt*, Mrs *Mildred Warner* or Maj^r^ *Lawrence Smith*, and where ye ſame are att p̄ſent lodged.

Teſt Robert Beverley Clk Aſſ^bly^

---

*X^ber^* 2^d^ 1685

ORDERED, that ye Clerk carry ye following meſſage to ye houſe of Burgeſſes

By his Excellency.

*M^r^* Speaker.

I have received a requeſt from y^r^ Houſe, that I would informe you, what armes belonging to ye Country are come to my hands, ſince ye laſt Aſſembly; I doe not underſtand by what authority you make ſuch a deſire, and as little ye meaning of thoſe words

words (*viz* belonging to the Countrey) what armes belonging to his Majeſty I have received, are lodged att my houſe for his Majᵗᶦᵉˢ ſervice.

*X*ᵇᵉʳ 2ᵈ 1685 *Effingham*

Some members of yᵉ houſe of Burgeſſes preſent ye two following addreſſes.

To his Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Majeſties Lᵗ and Governʳ General of* Virginia.

The Houſe of Burgeſſes now Aſſembled

Humbly preſent

That ye ſeale firſt moſt graciouſly granted to this Countrey by King *James* yᵉ firſt of bleſſed memory, and ſince by his Royal ſucceſſors on ye humble addreſſes of ye Inhabitants of this his Majᵗᶦᵉˢ Dominion to this time as graciouſly confirmed, was both at its firſt grant and ye ſeverall confirmations afterwards procured and purchaſed att ye proper charge and expence of this Countrey, and accordingly all along made uſe of, as an authentick atteſtation to all their Pattents, Grants &c. without fee, reward or other impoſition, until yʳ Excellency, in *April* Court laſt was pleaſed to declare & Speedily after to ſett forth yʳ Proclamations commanding the payment of two hundred pounds of Tobacco for affixing ye ſame; wᶜʰ publication of yʳ Excellencies pleaſure, as it hath prevented ſeveral from taking out their Pattents, under ye ſeale, from ye ſecretaries office, and deterred many more, from entring new ſeats of land to ye great prejudice of his Majᵗᶦᵉˢ revenue in ye Quitrents, ſoe it hath cauſed all ye Inhabitants in general to preſent it as a great preſſure, innovation and greivance to this Aſſembly.

Wherefore yᵉ houſe of Burgeſſes on yᵉ behalfe of themſelves, and all ye Freeholders of this Countrey humbly ſupplicate yʳ Excellency, that ye rights, priviledges and benefit of ye ſeale may be continued to them, as formerly, without fee, yʳ Excellencies proclamation about ye ſame called in, and ye whole impoſition lately commanded forthwith taken of.

To his Excellency Francis *Lord* Howard *of* Effingham, *his Majeſties Leiuetenant and Governʳ General of* Virginia

The Houſe of Burgeſſes humbly ſheweth

It having been preſented to this houſe by yᵉ Burgeſſes of *Charles Citty* County, that ſundry perſons inhabiting on ye *black water*, on ye ſouth ſide of *James* River, have been att very great charges and trouble in taking up and ſeating divers tracts of land, and have with themſelves, families and flocks continued therein att leaſt ſeven yeares, and that divers others have entred rights, ſurveyed and upon ye dependance of Pattents have likewiſe ſeated ſeveral tracts of land, and are now doubtful, their Pattents will not iſſue, ſome perſons having been lately denied ye ſame on pretence (as is apprehended) that they entrench upon ye Indians bounds.

Now may It pleaſe yʳ Excellency, It is conceived by this houſe, thoſe Indians did or ought to have held their lands by Pattent, or ſome other lawful meanes, as wel as other nations, and thoſe bounds were not deſigned to ſuch end, but were only ſett and laid out as marching bounds from Towne to Towne, with intent ye Indians in thoſe times ſhould come noe nearer ye *Engliſh* Plantations to diſturb ſome ſmal families, wᶜʰ might then be timorous and fearful of them and not to hinder thoſe, that would adventure and hazard themſelves from ſeating beyond thoſe bounds, wᶜʰ plainly appeares by ye Honᵇˡᵉ Majʳ General *Wood*, ye Gentleman appointed to ſettle them, who brought them ſoe far through his own land, that if they had or ſhould debar ye *Engliſh* from ſeating without them, he muſt have loſt, and his heires after him two thirds of yᵉ land he lived upon; And it is further humbly offered to yʳ Excellency, that att that time, whoſe [when] thoſe marching bounds were ſoe ſetled, being neer thirty yeares agoe, there were ſeveral conſiderable nations of Indians inhabiting neer or adjoining to ye ſᵈ *Black water*, which are now either wholy extinct, or removed many miles farther off, ſoe that from ye preſent *Nanzemond* Indian Towne to yᵉ *Appamatox* Towne being att leaſt ſeventy miles, and from about thirty miles from ye ſaid *Blackwater* ſoutherly, there are not any Indians, that lay ye leaſt claime to any part of that vaſt quantity of land, excepting only

only ye *Wyanokes*, wch are not above ten or twelve in number, who would be ſatisfied with a very ſmal part of ye ſame, and are mighty willing ye *Engliſh* ſhould ſettle ye reſt, wch would not only extreamely advantage ye Inhabitants of this his Maj^ties^ Dominion, but alſoe very much enlarge his revenue here, there being att leaſt one hundred & fifty thouſand Acres of land, that might, without any prejudice, be taken up.

All wch ye houſe of Burgeſſes now Aſſembled doe humbly ſupplicate y^r^ Excellency to take into y^r^ ſerious conſideration, and to give ſuch directions, that Pattents upon ye former ſurveys may be permitted to paſſe ye office, and y^t^ ye remainder of ye ſaid land may be free for all Inhabitants of this his Maj^ties^ Dominion, to take up & ſeat thereon, excepting only ſuch a quantity of Acres to or diſtance of miles, from ye ſaid ſmal Towne of *Wyanokes*, as y^r^ Excellency ſhall think fitt to appoint.

Ordered, that ye Clerk goe to ye houſe of Burgeſſes & deliver to Mr *Speaker* ye following meſſage.

X^ber^ 2^d^ 1685

By his Excellency

Mr Speaker

I have this day received two addreſſes from y^r^ houſe, ye one, that liberty may be given to ye Inhabitants of this Countrey to ſeat on his Maj^ties^ land on ye ſouth ſide of ye *Black water* ſwamp, but there having been articles of agreement formerly made between this Governm^t^ and ye Indians on ye ſouth ſide of ye *Black water*, and thoſe articles confirmed by Act of Aſſembly, I can in noe waies concede to it; and as to y^r^ other, that I would remit that ſmal fee laid on ye paſſing of ye ſeal by Decree in Chancery, and not by any Proclamation from me, as you have miſrepreſented, It was laid rather to be agreable to ye Cuſtome of all nations, & all other his Majeſties plantations, than for any private gain, as you may naturaly conclude from ye Reaſonableneſſe of ye fee, Tobacco not being (*Communibus Annis*) worth five ſhillings ℔ *Cent*, but to give you as much ſatisfaction as I think requiſite in this matter, I have not done this, nor anything elſe to my knowledge, without lawful authority, therefore ſhal not recede from ye Decree ſoe paſſed.

Effingham

The following meſſages are brought up by ſome of ye Burgeſſes.

By ye Houſe of Burgeſſes

X^ber^ 1^ſt^ 1685

To His Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Maj^ties^ L^t^ and Govern^r^ Genl of* Virg^a^

Is humbly preſented

That although they are moſt heartily glad to underſtand from y^r^ Excellency y^r^ better ability and health to declare ſuch buſineſſe, as y^r^ weakneſſe att ye firſt Meeting rendred y^r^ Excellency unable to doe, yet they can not but with ſorrow, att the ſame time receive ſuch reproofs from y^r^ Excellency of their neglect, as they know themſelves altogether undeſerving of, for that ſeveral ſuch matters have this ſeſſion offered, as has exerciſed their continual diligence, and neceſſarily required their full and conſiderate determination, wch proceedings, when y^r^ Excellency ſhall come thoroughly to underſtand, this Houſe are very well aſſured y^r^ Excellencys former Apprehenſions of them will be removed, and this houſe appear to have uſed as much expedition in all their affaires, as will both anſwer y^r^ Excellencies ſatisfaction, and ye moſt advantagious ſervice of this Countrey.

To that part of y^r^ Excellencies Speech relating to ye building of an houſe fitting for ye Govern^r^ to reſide in, this houſe unanimouſly agree, and think it moſt fitt, that ſuch an houſe be with all poſſible conveniency provided for the Govern^r^ of this his Maj^ties^ Dominion, and that they conceive ye Govern^rs^ land, ye place nominated by y^r^ Excellency, moſt proper and convenient to build ye ſame upon, and that ye model, wch y^r^ Excellency was pleaſed to reffer to this houſe to conſider of, for his Majeſties approbation, will be beſt prepared, appointed and directed by y^r^ Excellency his Majeſties now immediate Govern^r^, and this houſe not doubting, but there is and will be moneys

ſufficient

ſufficient to be ſpared from his Majtiᵉˢ revenue accrewing here & appropriated to defray that and other contingent charges, are moſt ready to conſent, that ſoe much thereof be in that uſe emploied, as a worke of that nature will reaſonably require.

And whereas It is propoſed by yᵉ Excellency that a Law may paſſe, whereby his Majtiᵉˢ Governʳ with ye advice of ye Councel may be impowered to lay a levy not exceeding twenty or twenty five ℔ pole; This houſe duely & ſeriouſly conſidering how far it may tend to ye diſadvantage of this Country, & how unacceptable, as wel as inconvenient it will be to ye Inhabitants of this his Majtiᵉˢ Dominion in general, whom this houſe repreſent, doe humbly ſignifye unto yʳ Excellency, that they can noe waies concede to or comply with that propoſition, without yᵉ apparent and ſignal violation of ye great truſt in them repoſed. And to that part of yʳ Excellencies Speech relating to ye defraying ye one halfe charge of forty eight men & officers for a ſtanding Guard, This houſe humbly conceive yʳ Excellency ye fitteſt Judge, what Guards are neceſſary to be raiſed & ſetled, but becauſe of ye general great poverty and indigency of ye Inhabitants of this Countrey, they humbly pray yʳ Excellency will not think of lifting any other or more ſoldiers or officers for ſuch ſtanding Guard, than what may be conſtantly and duely paid from his Majtiᵉˢ revenue accruing here.

A True Copy

Teſt Robᵗ Beverley Clk Affᵇˡʸ

By ye Committee of Greivances and Propoſitions

Reported

Whereas in his Excellencies Speech to Mʳ *Speaker* and ye houſe of Burgeſſes is expreſſed ye odiouſneſſe of all fines and forfeitures, being accounted for to ye Publick, under a regal Governmᵗ and this Committee being fully aſſured, all ye ſubjects of this his Majeſties Dominion, have a great deteſtation and abhorrence to any other Governmᵗ but that of a monarchy, are of opinion, that in concordance thereto, all fines, forfeitures and penalties, that ſhall be enacted this preſent Aſſembly, ſhall be appropriated to his Majeſties uſe for ye benefit of this his Majeſties Dominion.

But becauſe ye penal Lawes now in force are ſoe numerous, and require a great time for ye reviſement, and ſerious conſideration, what of them are fitt to be repealed, and what to continue in force, *This committee therefore report*, that all fines, forfeitures and penalties to this time by former Acts already ordered and eſtabliſhed, ſhall ſtand and remaine under that ſtile, without any alteration or repeale, until ſuch full and deliberate conſideration can be had, as ye Caſe requires, after wᶜʰ inſpection and amendmᵗ they likewiſe may be ordered and inveſted in his Majeſty towards ye ſupport of this Governmᵗ and ye contingent charges thereof.

A True Copy

November 18ᵗʰ 1685

Teſt Robᵗ Beverley Clk Affᵇˡʸ

Read in ye houſe and allowed

Teſt Robᵗ Beverley Clk Affᵇˡʸ

By ye houſe of Burgeſſes

*X*ᵇᵉʳ 1ᶠᵗ 1685

Reſolved, that there be a good, ſubſtantial, ſtrong, publique Priſon houſe built in *James Citty* att ye charge of ye Countrey, and to be paid for out of ye impoſition of three pence ℔ Gallon, next after Col *Phillip Ludwel* is ſatisfied for ye Countries houſe, to hold Aſſemblies and General Courts; and that a copy of this reſolve be ſent to his Excellency and ye Councel, with ye requeſt of this houſe, for their concurrence therein

Teſt Robert Beverley Clk Affᵇˡʸ

*X*ᵇᵉʳ 1ᶠᵗ 1685

By ye Houſe of Burgeſſes

To His Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Majtiᵉˢ Leiuetenant and Governʳ Genˡ of* Virginia

The Houſe of Burgeſſes now Aſſembled att James Citty

Humbly ℘ſent

That *whereas* att an Aſſembly held att *James Citty, Anno* 1682, ye ſumme of thirty ſix Thouſand, two hundred and twenty three pounds of Tobacco was ordered payable unto

unto Lt Col Wm *Fitzhugh* & Capt: *George Brent* in *Stafford* County, with Caske and ſallary for ye ſame, yet notwithſtanding ye ſaid Col *Fitzhugh* did afterwards att ye laying of ye County Leavy in exhibiting that claime not only diſown ye ſaid Caske and ſallary to be allowed in ye Publick, on purpoſe concealing ye authentick copy of ye Publick Leavy for that County, but alſoe demanded ſatisfaction from them there; & *whereas* It is made appear to this houſe by ye affirmation of Mr *Martin Scarlet* and ye Record of ye Leavy account atteſted by ye Clerk of that Court, that ye ſaid Col *Fitzhugh* did not only make demand, but alſoe perſiſt to urge, perſuade and aver his falſe Aſſertion, wch together with his ſubtile inſinuations ſoe far gained Credit (he being att that time ye Counties repreſentative) that yt ſaid Caske and ſallary amounting to ſix thouſand, five hundred and twenty pounds of Tobacco was there admitted and relevied. wch wrongful and unjuſt procurem[t] being preſented to this houſe as a grievance, *It is ye humble deſire of this houſe*, that in order to ye puniſhment of this apparently diſhoneſt action, and for ye preventing ye like evil practices and abuſes for ye time to come, yr Excellency would pleaſe att ſome convenient time to iſſue out yr warrant to Command ye ſaid Lt Col Wm *Fitzhugh* to anſwer ye abuſe & wrong done that County, and ye whole Countrey, att ye next General Aſſembly, and alſoe all other articles of charge, as ſhall be by yr houſe of Burgeſſes filed agt him; and that ye ſaid Lt Col Wm *Fitzhugh* be ſuſpended from all offices military and Civil, until he ſhall anſwer to ſuch matters, as ſhall be ſoe exhibited, and afterwards during yr Excellencies pleaſure.

And this Houſe doe farther preſent to yr Excellency, that if for ye better proſecution of ye ſaid Col *Fitzhugh*, any other methods ſhould ſeem more proper and fit, than what are already laid down, that yr Excellency would pleaſe to vouchſafe this houſe ye honour of communicating and directing them therein.

A True Copy

Teſt Robert Beverley Clk Aſſbly

Ordered, that ye following paper be delivered to Mr *Speaker* in ye houſe of Burgeſſes by ye Clerk

By his Excellency

Mr Speaker

I have this day received divers papers from yr houſe, in anſwer to ſome things I propounded to you.

As to ye firſt of building ye Governrs houſe, I find we both agree in ye neceſſity of it, but as to ye charge of building it, wee are much different, his Majeſties Inſtructions to me directing it to be built by ye Countrey; but you are ſoe miſtaken, as to declare yr ready conſent, that ye charge be defrayed out of his Majties Revenue, wch does not att all belong to you, but ſoe far, I am willing to ſatisfye you, that were it in my power to comply with you, ye revenue would not anſwer it, being already much in arrear.

And as to yr Anſwer of that propoſition, that ye Governr & Councel might be impowered to lay a ſmal levy. I doe acquaint you, that his Majeſty has now reinforced that Inſtruction to me, and myſelfe & ye Councel did beleive, that it would have ſeemed, as reaſonable to you, as to us, and moſt of ye Inhabitants of ye Country.

In anſwer to what you have ſent me to ye raiſing ye forty eight men; could his Majeſties revenue have maintained them, it would not have been deſired of you, and a leſſe number will not be any ſecurity to ye Countrey.

To that of ye fines and forfeitures, I have again recommended it to you, and hope you will conſider of it, as you ought.

In anſwer to that, that a ſtrong, ſubſtantial, publick priſon houſe may be built in *James Citty*, myſelfe and ye Councel think it very neceſſary, but not by that method, that you propound, there being already divers Countrey debts, wch ought to be preferred & wee judge moſt eaſy for ye Countrey to diſcharge that way.

I have received likewiſe a Complaint from yr houſe agt Lt Col Wm *Fitzhugh*, I am very willing to agree to yr method ſoe far, as to ſend out my warrant for him to anſwer ye Complaint ye next general Aſſembly, but think it not proper to ſuſpend him from any office either Civil or military, until he has anſwered for himſelfe

Xber 2d 1685 *Effingham*

Ordered,

Ordered, that ye Clerk of ye General Aſſembly goe to ye Houſe of Burgeſſes and tell Mr *Speaker* that his Excellency Commands his and ye houſe of Burgeſſes attendance on him forthwith in his Chamber.

Mr *Speaker* and ye houſe of Burgeſſes waite upon his Excellency and ye Councel, upon wch his Excellency expreſt himſelfe as followeth.

Mr Speaker *and Gentlemen of ye Houſe of Burgeſſes*

I have ſent for you and y^{r} houſe to acquaint you, that I have rec^{d} from his Majeſty, his Majeſties approbation of all ye Lawes made ye laſt General Aſſembly, with this additional clauſe to that Act for altering ye time of holding General Courts, that ye power of appointing Courts to be held att any time whatever remaine in his Maj^{ties} Govern^{r} or Commander in Cheiſe of this his Maj^{ties} Dominion; & that his Majeſty thinks it moſt neceſſary, that that act for ye better defence of ye Countrey be made perpetual; but *M^{r}* Speaker *& you Gentlemen of ye houſe of Burgeſſes*, I can hardly promiſe to myſelfe y^{r} performance of any of theſe his Majeſties ſoe reaſonable deſires, ſince I find you ſoe averſe to thoſe I have already propounded to you from his Majeſty, eſpecially to one ſoe becoming you as good ſubjects, to appropriate thoſe fines and forfeitures formerly laid to ye Countries uſe, now to his Majeſty, for ye better ſupport of ye Governm^{t}

Mr *Speaker* and ye houſe returnes

X^{ber} 3^{d} 1685

SOME of ye houſe of Burgeſſes come & preſent ye following paper.

X^{ber} 2^{d} 1685

By ye houſe of Burgeſſes.

To his Excellency Francis *Lord* Howard, *Baron of* Effingham *his Maj^{ties} L^{t} and Govern^{r} Genl of* Virg^{a}

It is humbly preſented

That this houſe did on ye firſt inſtant preſent to y^{r} Excellency their ſupplication, that for ye reaſons in that addreſſe expreſſed grounded upon ye general complaints of ye ſeveral Inhabitants of this his Majeſties Dominion, ye late impoſition of two hundred pounds of Tobacco and Caske, for ye affixing ye ſeale of this Colony to any Pattent, Grant &c might be taken off, in return to wch addreſſe, y^{r} Ex^{cy} was pleaſed to declare to this houſe, that ye ſaid fee was laid by Decree in Chancery, and that therefore it was miſrepreſented, in ſaying it was done by y^{r} Excellencies Proclamation; This houſe doe humbly offer to y^{r} Excellency and ye Hon^{rble} Councels conſideration, that they never were informed of any ſuch Decree in Chancery; and that if any ſuch were, it would have been imparted to this houſe, and doe alſoe humbly conceive, that Decrees in Chancery uſualy paſſe under ye Broad Seale of *England*, and that ſuch Decrees are not granted, but upon deliberate conſideration, and ye lawfull defences of all parties, nor doth this houſe find, that by y^{r} Excell^{cies} declaration, wch they look upon as a Proclamation, any mention made of a Decree in Chancery, but publiſhed as y^{r} Excellencies Decree, for wch reaſons together with thoſe formerly preſented, this houſe doe humbly ſupplicate y^{r} Excellency, that ye ſaid impoſition may be immediately taken off, their priviledges wch through ye Kings moſt gracious Grants they have ſoe long enjoyed be ſtill continued unto them, and that this Countrey may not be forced to part with their auntient rights only to become agreable to ye Cuſtome of other places, and this houſe doe further on behalfe of themſelves and all ye Inhabitants of this Countrey humbly ſupplicate, y^{t} y^{r} Excellency would be pleaſed to take again into y^{r} ſerious conſideration their former addreſſes made to y^{r} Excellency for ye accepting of ye Quitrents in Tobaccos for ye enſuing year att ye rates formerly allowed.

And that on ſuch further conſultations y^{r} Excellency would pleaſe to aſſent to theſe their humble requeſts, wch this houſe are very well aſſured, would well enough conſiſt with ye welfare, add much to ye eaſe and infinitely anſwer ye general ſatisfaction of all ye Inhabitants of this Countrey.

And

And whereas y^r^ Excellency was pleaſed to ſignifye to this houſe, on their addreſſe about ye reviſal of ye Lawes, that ſuch reviſal was not perfected, and this houſe conceiving ye neceſſity of having ye whole body of ye Lawes to be with all convenient Speed prepared to preſent to his Majeſty for approbation, humbly deſire, that ſuch of ye Burgeſſes, as ſhal be nominated by this Houſe may be joined with ſoe many of ye Honble Councel, as your Excellency ſhall think fitt to appoint; to review all ye Acts, peruſe ye Records, and to prepare a draught of them, with ſuch alterations and amendments, as they ſhall find neceſſary and to returne ye ſame to ye next Genl Aſſembly.

By Order of ye houſe of Burgeſſes

Teſt Robt Beverley Clk Aſſ^bly^

Reſolved, that ye Clerk carry ye following meſſage to ye houſe of Burgeſſes.

By his Excellency

*M^r^* Speaker

I have this day received an addreſſe from y^r^ houſe, that ye ſmal fee laid on ye ſeale may be remitted, and you inſtance, becauſe all ye Decrees in Chancery in *England* goe under ye Broad Seale; I agree with you in it, but my Lord Chancelor *quatenus* Chancelor hath power to lay a fee upon ye paſſing of that ſeale, wch to ye beſt of my remembrance is twelve pounds *Sterl*, ye ſeale of this Colony is of that nature, wch being committed to once by his Maj^ty^ gives me y^e^ ſame power, but leaſt you may imagine, ye fee may be augmented by me, or any other Govern^r^ att pleaſure, I am very willing to give you any aſſurance, you ſhal reaſonably deſire, that it ſhal not, regarding more ye decency and regularity of ye thing, than any private profit.

As to y^r^ deſire concerning ye Quitrents, I can give you noe other anſwer than I have already, his Majeſties Commands being poſitive therein. And as for ye reviſal of ye Lawes, I think it very neceſſary & requiſite that ye whole Councel doe firſt conſider of them, and give their opinions, wch I will take care ſhall be done, between this and ye next Aſſembly, and then you ſhall be made acquainted with what is done therein.

Effingham

*X^ber^* 3^d^ 1685

M^r^ *Wm Wilſon* &c. bring ye account of Claimes and ye following meſſage

*X^ber^* 3^d^ 1685

To His Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Majeſties Leiuetenant and Governor General of* Virginia.

The Houſe of Burgeſſes humbly preſent

That in anſwer to y^r^ Excellencies reply about building an houſe for ye Govern^r^ of this his Majeſties Dominion, this houſe doe deſire y^r^ Excellencies acceptance of their former propoſals in that affaire, for that as they well hoped, his Majeſties revenue accruing here & raiſing for ye defraying of ye Publick charge and expence of this his Majeſties Dominion, would have fully anſwered ye ſame, ſoe they are well aſſured ye continual levying of new taxes for ſuch matters can not be complied with, without ye impoveriſhing of ye already wanting and needy Inhabitants.

And whereas y^r^ Excellency was pleaſed to reinforce ye propoſition y^t^ ye Govern^r^ and Councel might be impowered to raiſe a levy, This houſe doe unanimouſly agree, they cannot recede from their firſt reſponſe without breach of ye great truſt in them repoſed.

And to what y^r^ Excellency was pleaſed againe to intimate about ye raiſing of forty eight men, this houſe doe humbly hope, they have already given a full and ſatisfactory anſwer.

As to ye fines and forfeitures now again recommended from y^r^ Excellency, this houſe doe conceive, they have already fully conſidered and anſwered as they ought, it being ye intent and meaning of this houſe, that all fines and forfeitures impoſed for ye future by ye Genl Aſſembly, as wel as thoſe paſt this preſent ſeſſion, ſhall be appropriated to his Majeſty for and towards ye better ſupport of ye Governm^t^ of this his Maj^tie^s Dominion and ye contingent charges thereof.

As

As to ye building of a ſtrong, ſubſtantial priſon in *James Citty*, this houſe conceive it very neceſſary, but if it ſhal appear to ye General Aſſembly, that there is not moneys ſufficient yet remaining to defray ye charge of ſuch a worke, that then it be refferred to ye further conſideration of ye next Gen[l] Aſſembly. And this houſe doe moſt readily ſubmit to ye methods preſcribed by y[r] Excellency in ye matter relating to L[t] Col *W[m] Fitzhugh*,

By order of ye houſe of Burgeſſes

Rob[t] Beverley Clk Aſſ[bly]

X[ber] 5th 1685

MR *W[m] Wilſon* &c brings ye three following meſſages

X[ber] 4th 1685.

By ye houſe of Burgeſſes,

Ordered

That M[r] Auditor *Bacon* pay to Col *Phillip Ludwell* fouer hundred pounds *ſterl* out of ye moneys accruing from ye duty of three pence ℔ gallon upon liquors, for and in conſideration of rebuilding ye ſtate houſe, upon payment of w[ch] money M[r] *Auditor* is deſired to take bond from Col. *Ludwel* for ye full compleating of ye ſaid houſe, in ſuch manner, as ſhall be fully ſatisfactory to his Excellency, ye Councel and ye houſe of Burgeſſes, anſwerably good and equivalent to the condition for ye ſame.

His Excellencies and ye Councels concurrence herein is deſired by ye houſe

Teſt Robert Beverley Clk Aſſ[bly]

Reſolved by ye houſe, that ye room in ye ſtate houſe, called ye Porch Chamber be kept and appropriated an office for ye Clerk of ye Aſſ[bly] and that *Robert Beverley* ye preſent Clerk take poſſeſſion thereof and therein lodge and place all Records, Books and Papers belonging to ye Aſſembly, w[ch] either now are or for ye time to come ſhall be committed to his charge, keeping or cuſtody.

Ordered that this reſolve of ye houſe be ſent to his Excellency & ye Councel, with ye requeſts of this houſe for their concurrence therein.

Propoſed by ye houſe, y[t] ye lower room in the ſtate houſe oppoſite to ye Court houſe room be with all poſſible expedition fitted for ye ſecretaries office in ſuch manner, as his Excellency and y[e] Councel ſhal direct, and this Houſe doe pray his Excellency will pleaſe to Command and direct ye doing thereof, and y[t] the Hon[ble] Col *Ludwel* be treated with about it.

X[ber] 4th 1685

Signed by order of ye houſe of Burgeſſes

Rob[t] Beverley Clk Aſſ[bly]

By ye houſe of Burgeſſes

X[ber] 4th 1685

To His Excellency y[e] Govern[r]

This houſe having conſidered y[r] Excellencies late Speech to M[r] *Speaker* and themſelves, of w[ch] you were pleaſed to favour them with a copy, doe obſerve, y[t] y[r] Excellency therein makes mention of his Majeſties gracious approbation of all ye Lawes made y[e] laſt General Aſſembly, but with additional clauſes to ſome particular Acts, and to ye end they may, as their duty is, take notice and render and give humble thanks and obedience to all his Majeſties gracious Commands, they humbly pray, y[r] Excellency will pleaſe to favour them with a copy of ſuch of his Maj[ties] Inſtructions to y[r] Excellency, as is mentioned by y[r] Excellency in y[r] ſaid Speech.

Signed by order of ye houſe of Burgeſſes

Robert Beverley Clk Aſſ[bly]

X[ber] 5th 1685

Ordered, that ye Clerk tranſcribe his Majeſties Inſtruction ſignifying his allowance and approbation of ye Lawes made ye laſt General Aſſembly and carry ye ſame together with ye following Meſſage in anſwer to ye ſtate of Claimes, to ye houſe of Burgeſſes.

X[ber]

X^{ber} 4th 1685

By his Excellency and Councel

Mr Speaker *and Gentlemen of ye houſe of Burgeſſes.*

Upon ye Examination of ye Publick claimes returned from y^r houſe wee have thought fitt to acquaint you, with our obſervations thereupon, wch are as follow *viz:*

As to ye Claime made by M^r *Joſeph Ring* for cleaning ſeveral ſwords; It being thought neceſſary, that ſwords ſhould be ſent to ye heads of ye rivers, for ye better defence thereof, many perſons there not being of ability to buy, wch his Excellency conſidering, was ſoe far pleaſed for ye ſervice of ye Countrey, to permit his Majeſties ſwords to be ſent thither, provided they were cleaned, upon wch Col *John Page* by order of Councel was deſired to agree with Mr *Ring* for ye ſame; and Col *Page* having acquainted y^r Committee of Claimes that he has ſeen ſeveral of them, that were well done, and he was confident, all ye reſt were in ye like condition; and fouerſcore of them to our knowledge being now on ye Countries ſervice, therefore wee think it moſt reaſonable, that his account, being moderate, be allowed, he having already been one year & an halfe without his pay, for his work done, & deſire to be ſatisfied for what reaſon this claime was diſallowed by ye houe of Burgeſſes.

The Claimes of Mr *Edmund Jennings* & Col *Tho: Ballard* for proſecuting ſeveral malefactors, wee conceive ought to be allowed, it formerly having been cuſtomary, and ye tryals of Criminals is altogether for ye peace and advantage of ye Countrey, and there is noe other fund to diſcharge ye ſame, unleſſe the fines and forfeitures had been appropriated, if wch had been done, this charge might have been paid that way.

As to ye Claime of Capt: *Brent*, It does appear to us, that when he was upon ye Countries ſervice, purſuant to his Excellencies Commands, there was a neceſſity of giving an account of his proceedings to Mr *Secretary*, being ye next Councellour, and ye Countries Credit being ſoe very bad, noe perſon whatever could be procured to goe on ſuch a meſſage, unleſſe Capt: *Brent* would oblidge himſelfe for payment, It would be therefore thought hard, that he ſhould ſuffer for ſerving ye Countrey, therefore wee conceive he ought to be paid twelve hundred pounds of Tobacco & Caske paid ye three men.

As to ye Claime made from *New Kent* County for ſeveral forrages and proviſions expended, att ye time when ye *Seneca* Indians lay on ye frontiers of that County, and committed ſeveral injuries on ye Inhabitants thereof, thoſe ſoldiers were raiſed by Mr Secretary *Spencer*s Commands, (who was then Preſident and Commander in Cheife) for ye better defence and ſecurity of ye Countrey, and Col *George Lyddal*, who was then appointed Command^r was conſtrained to paſſe ſeveral notes both for forrages & proviſions expended by thoſe ſoldiers, for ſome of wch notes he has been ſued, and ſome judgements paſſed ag^t him, and if ye ſame be not ſatisfied by ye Countrey, he is without all remedy, and it would be moſt hard, that he ſhould be ruined for ye ſervice of his Countrey, and noe man, if ye like occaſion ſhould happen, (wch God forbid,) can be expected to ſerve ye Countrey; and as to the Counties paying for ye proviſions, It hath been propoſed to ye County Court, who refuſe to pay ye ſame, ſaying there is noe Law for it, and that Law for ye Counties maintaining their ſoldiers being ſince made, wee think it but juſt and right to be allowed by the Countrey.

And as to ye claime made by *Edward Chilton* Clerk of ye Councel for twenty thouſand, five hundred, thirty nine pounds of Tob: and Caske, due for fees accrueing upon ye proſecution of Criminals &c wch is moſt neceſſary, being for ye peace and ye ſafety of ye Countrey, great part thereof is due by a Law of this Countrey, & found legal according to that Law, and notwithſtanding ye objection you have made, has alwaies been paid by ye Aſſembly, when demanded, and as to what you ſay to his other Claime for other publick ſervices, ye account he now exhibites is not equivalent in exorbitancy or greatneſſe in ye charge to ye thouſand or twelve hundred pounds of Tobacco, you have been willing formerly to allow to ye Clerk of ye Councel, none before him having done ye fortieth part of ſervices, wch his place now annualy requires him to, and if ye Law for defraying Criminal charges be of force, wch it is, not being repealed, & ſheriffs fees, w^ch

are

are not altogether due by Law, but moſt by Cuſtome, and allowed to be paid, his Claime as now preſented is moſt juſt & ought to be paid great part of ye ſame being due by a Law, and for ye like other publick ſervices, you yᵗſelves have alwaies paid, ſince he was firſt Clerk, and as to that you ſay, that there be an annual allowance of five thouſand pounds of Tobacco & Caske paid to ye Clerk for all ſervices, that can have noe relation to ye time paſt, neither is it a ſufficient allowance for ye time to come, conſidering ye ſervices he is likely to doe, nor ye quality he is in, being little more, than what is allowed by yᵗ houſe to ye Dromer, for one yeares Attendance; and if ye ſame were agreed to, it might prove prejudicial either to ye Countrey, or ye Clerk, either in giving more than he deſerves, or in not giving him his juſt due, therefore It is thought fit, that he [be] conſidered according to his ſervices and have noe full aſſurance of any reward before hand, wᶜʰ may occaſion a great neglect in him, wee hope therefore you'l dwel noe longer on this, but be as juſt to him as others, in allowing him his full and juſt claime.

As to ye allowance of two thouſand pounds of Tobacco made to Mʳ *Hen: Gauler* for ye Council Chamber, wee think fit he be allowed fouer thouſand pounds of Tobacco & Caske; and find you allow for a room for one of yᵗ Committees fifteen hundred pounds of Tobacco & Caske, wᶜʰ wee think a great deal too much, and ought to be regulated, for ſhould an allowance be proportionable for ye Councel Chamber, for three Courts & one Aſſembly, by ye like reaſon he ought to have fouer times as much.

As to ye Claime made by Mʳ *Hen: Gauler* for drink given to ye Indians, att ye time they were going to *New York* in order to confirme ye Peace made with ye northern Indians, wee conceive he ought to be allowed a moderate rate for ye ſame, ye Indians being then on ye Countreys ſervice

The whole Countrey in general having received ſoe great a ſatisfaction in ye firme peace concluded on between his Excellency ye Lord *Howard* Governʳ on ye behalfe of this Governmᵗ and ye northern Indians and ſince confirmed by Col *Wᵐ Byrd*, as you have inſtanced on ye 27ᵗʰ of *November* laſt, and ye charge being allowed by yᵗ Committee of Claimes, wee doe much admire to find it wholy diſallowed by yᵗ houſe, and whereas by ye report of yᵗ Claimes, you have ſignifyed, yᵗ ye reaſon of yᵗ diſallowance is, becauſe you reap no advantage thereby, yᵉ Country being att ye ſame charge in maintaining ye ſoldiers att ye heades of ye rivers; had you propoſed in yᵗ deſire of ye repeal of ye Act for ye better defence of ye Countrey, a Clauſe (notwithſtanding ye repeale of ſuch Act) appointing all ſuch forces, as ye Governʳ with the advice of ye Councel ſhould raiſe upon any emergent occaſion, during ye continuance of ſuch Act, to be paid for ye time, they are on ſuch ſervice, according to ye intent of ye ſaid Act, then little queſtion is to be made, but that yᵗ deſires would have proved more effectual, therefore wee think it reaſonable [unreaſonable], that his Excellency, Col *Byrd* & others, who have been a tt ſoe great charges ſhould not be reimburſed.

The allowance given to yᵗ Clerks in General, wee find moſt immoderate & exorbitant & ought to be regulated, & in a more particular manner that of Col *Milner*s, having given him eight thouſand pounds of Tobacco and Caske for Coppies of Journals ſent for *England* and given to his Exᶜʸ &c when you yᵗ ſelves ordered him pay for ye ſame ye laſt Aſſembly, having included it in his twenty thouſand pounds of Tobacco & Caske, as by yᵗ laſt Journal may appear, but wee are not in ye leaſt unwilling, that he ſhould be juſtly ſatisfied for all ſervices not already paid, and think it reaſonable, that he be allowed during his Attendance here in Towne, although it was in expectation of his own profit, after ye ſame rate, as a Burgeſs is by Law, and that ſatisfaction be made likewiſe for his boat and hands; and if you agree not to this, wee deſire, that ye petition of Col *Milner*, ye ground of this great claime, may be ſent to us, that wee may be equally ſatisfied in ye juſtneſſe of it.

E Chilton Cˡ Genˡ Affᵇˡʸ

Several Articles wherein Capt: *Wᵐ Hartwel* hath overcharged in his Account to ye Country.

&c

		8ber
To impannel a Jury to attend ye Court 16 Days att 10d ℔ man		1920
To a Juries attendance 2 dayes att 6o ℔ day		0720
April. To Commitmt *Warner* overcharged		0020
To a Juries attendance 2 dayes 6o ℔ day a man		0720
To a Juries attendance 2 dayes 6o ℔ day a man		0720
To a Juries attendance 2 dayes 6o ℔ day a man		0720
To a Juries attendance 2 dayes 6o ℔ day a man		0720
To a Juries attendance 2 dayes 6o ℔ day a man		0720
To a Juries attendance 4 dayes		1480
To overcharged in ye 6 men guarding ye priſon 39 days att 40 ℔ day		5850
To ye charge of Mr *Smith*, his wife &c, when indeed they were ſummoned by writ for evidences		0120
The ſeveral charges att ye beginning and latter end of ye account for *Giles Hill*, *John Smith*, *Wm Davis* & *Robt Morton*, the three firſt being ordered to ſerve him, and ye other officers, to ſatisfye ye fees, & *Morton* was an unruly ſervant committed by his Maſter Mr *Wm Sherwood*, who is lyable to pay what is juſtly due		2180

Nor doe wee find any thing allowed to ye ſheriffe of *Nanzemond* for his own paines in coming and going and bringing up *Mekeel* and ye other Pyrates wch he did by a ſpecial order from ye Preſident and Councel, he having modeſtly refferred that to yr conſideration; And It is Judged ſix dayes was ye leaſt he could be performing that ſervice, beſides his own expences, wch att ye leaſt ought to be one hundred & twenty ℔ day

Xber 4th 1685 *E Chilton* Cl Genl Aſſbly

Xber 7th 1685

THE following meſſage is preſented to his Excellency & Councel by ſome members of ye houſe of Burgeſſes

Xber 7th 1685

By ye houſe of Burgeſſes

In anſwer to his Excellencies & ye Councels obſervations upon ye report of ye Committee of Claimes and reſolves of this houſe thereupon, this houſe doe declare.

That ye reaſon why they diſallow ye article of three thouſand, ſix hundred pounds of Tobacco & Caske to be paid to Mr *Joſeph Ring* for cleaning ſwords is, becauſe they judge ye Countrey not lyable to be levied upon for ye ſame, for that being his Majties Armes & his Majeſty having appropriated his revenues here to ye ſupport of ye Governmt and ye contingent charges thereof; ye charge claimed by Mr *Ring* ought to be paid from ye ſaid revenue.

To ye Claimes of Mr *Edmund Jennings* and Col *Tho: Ballard*, as officiating as ye Kings Attorney Generals, this houſe continue their former reſolve, that they are not lyable for ſuch ſervices, as they claime for.

To ye Claime made from *New Kent* by Col *Lyddal* &c this houſe reſolve that what is not heretofore and [by] this Aſſembly allowed towards ye ſame, is not any debt of ye Countries, but whatſoever elſe is due to any perſon in that ſervice, ye County of *New Kent* is lyable for, all wch was accordingly reſolved ye laſt Aſſembly.

To ye Claime of Mr *Edward Chilton*, this houſe can not recede from ye report of ye Committee of Claimes, and reſolve of ye houſe thereupon.

To ye Claime of Mr *Hen: Gauler*, for ye Councel Chamber, this houſe continue their reſolve that he be paid two thouſand pounds of Tobacco & Caske; and account it a good & ſufficient allowance, Mr *Gauler* keeping an ordinary, and thereby oblidged to find a room for his Gueſts.

The article of five hundred pounds of Tobacco to Mr *Gauler* for drink to ye Indians is allowed, but not to be made preſidential, there never before having been ſuch allowances made by this houſe;

To

To ye article of allowance to L[t] Col *Milner* late Clerk of Aſſembly being eight thouſand pounds of Tobacco & Caske, ye particulars mentioned by Col *Milner* in his claime to this houſe have been already particularly expreſſt to y[r] Excellency and ye Councel in ye foot of ye report of ye Committee of Claimes, to w[ch] this Houſe thought fit to conſider his other ſervices done & make ye ſumme in groſſe eight thouſand pounds of Tobacco & Caske, w[ch] they pray y[r] Excellency & ye Councel will concur in.

And to what is ſaid in relation to our Clerks, this houſe humbly hope, that they are not chargeable with immoderation or exorbitancy, in ye allowance to their Clerks, for that w[ch] in former Aſſemblies ſtood ye Countrey in att leaſt twenty thouſand pounds of Tobacco to ſeveral Clerks of Committees is by ye frugality of this houſe reduced to twelve thouſand, and therefore this houſe further hope, thoſe miſgrounded imputations will be taken off & obliterated.

Reſolved that Capt: *W[m] Hartwels* articles in his account and objected ag[t] by ye Govern[r] and Councel be allowed as, reported from ye Committee of Claimes, but for ye future all ſheriffs fees to be aſcertained by Act & not any allowed by Preſident only, ye ground of this p̄ſent reſolve proceeding from ye obſervation of like allowances to former ſherriffs in like caſes; one article only from ye Govern[r] and Councel in ye ſaid *Hartwells* account is by this houſe diſallowed *viz.*

ffor *Gyles Hill, Jo[n] Smith, W[m] Davis & Robt: Moltons* fees 2180[lb] Tob: ye three firſt being ordered to ſerve him, with w[ch] ye Committee of Claimes was not acquainted.

In anſwer to what concernes ye ſheriffe of *Nanzemond*, this houſe informe y[r] Excellency and ye Councel, that whatever ye ſaid ſheriffe demanded of, or refferred by any meanes in word or writing to this houſe or ye Committee hath been duely conſidered of, and all fit allowances made.

Teſt Rob[t] Beverley Clk Aſſ[bly]

The Report as come from ye Committee of Claimes, relating to ye *New York* and *Albany* Charge is by ye houſe allowed of and M[r] Auditor *Bacon* is deſired to pay

	£	s	d
To his Excellency ye Govern[r] for diſburſements made.....	93	05	01
To Col *W[m] Byrd* for his account of diſburſements.....	168	14	10½
To M[r] *Edmund Jennings* for his account of diſburſm[ts].....	35	04	00
To *Rich[d] Yarborough* Interpreter for his voyage & ſervices.....	20	00	00

As to Capt: *Sam[l] Iſaac*'s claime noe agreem[t] appearing to the Committee or to this houſe, they can not att preſent make any reſolve therein, leaſt in ſoe doing, they ſhould doe wrong to ye Countrey or to Capt: *Iſaac.*

Reſolved that ye conſideration of a gratuity to ye Hon[ble] Col *W[m] Byrd* for his late Agency to *New York* and *Albany* ſtand refferred to ye next Aſſembly.

Reſolved, that ye conſideration of a gratuity to M[r] *Edmund Jenings* for his accompanying ye Hon[ble] Col *Byrd* in his Agency to *New York* and *Albany* ſtand refferred to ye next Aſſembly.

Teſt Robert Beverley Clk Aſſ[bly]

X[ber] 7th 1685

Ordered that ye Clerk deliver to M[r] *Speaker* ye following meſſage

By His Excellency

M[r] Speaker *and Gentlemen of ye houſe of Burgeſſes.*

This day an addreſſe and ſome orders of y[r] houſe have been preſented to me and ye Councel by ſome of y[r] members, & doe much wonder, you ſhould propoſe ſoe unreaſonably, as to deſire our concurrence, in ye memorial of ye ſecretaries office, w[ch] ever ſince ye ſtate houſe was firſt built, until burnt, has been continued in ye place you allot for an office for y[r] Clerk, ſoe that M[r] *Secretary* juſtly claimes it by preſcription, and you y[r]ſelves have ſoe conſented and alſoe deſired, that it be enlarged, as by ye agreement made ye laſt general Aſſembly with Col *Ludwel* appeares, and ye place you propoſe for ye ſecretaries office is abſolutely neceſſary to be kept, as now it is, for thoſe that have buſineſſe att general Courts, otherwaies they muſt be conſtrained to attend without doors,

doors, let the weather be what It will, and ye ſame being ſoe neer ye ground, notwithſtanding all endeavours, will never be fit for Records to be kept in, by reaſon of ye great dampneſſe, wch is there, and ever will ſoe continue, beſides there has been formerly an office for ye Clerk of yr houſe, wch wee conceive with a little fitting may be as proper now as ever, ſoe that wee neither can, nor will concede to yr deſires in that, but if you are of opinion, yt ye place wee propoſe for yr Clerks office, be either inconvenient or not fit, wee leave you to yr liberties to make choice of any other place in ye ſtate houſe not already appropriated to any other particular uſe.

As to ye Claime of Mr *Ring*, ye ſwords cleaned by him are now on ye Countries ſervice, and his Majties revenue being in arrear, Its therefore thought reaſonable to be paid by ye Countrey, there being noe other way of paymt

By our laſt wee deſired, if you confirmed yr former allowance to Col *Milner*, you'ld return his petition ye ground of his claime, wch wee find you have not done, therefore wee expect it, before our concurrence, ye allowance made by ye laſt Aſſembly to him, having included all ſervices he did, as wee find by our Journal.

Wee reſt not ſatisfyed in yr anſwer to Capt: *Hartwels* claimes, If it be preſidential, wee deſire wee may be ſatisfied in it.

It would have been impoſſible for Capt: *Iſaac* to have made his claime appear to a County Court, but ſeeing there was an agreement made by ye Councel with Capt: *Iſaac*, and allowed on by me, wch was as followes: *viz:* Capt: *Iſaac* was to have for his veſſel one hundred pounds *ſterl* for every three moneths, and ſoe proportionable for a longer or leſſer time, wee therefore expect, that he may be paid from ye date of his Commiſſion, until ye time he was diſcharged att *James Town*, wch was on ye fifth day of *November*, and that Mr *Auditor* may accordingly be ordered to pay him what due after Col. *Ludwel* and his Excellency are paid

Wee find you have allowed his Excellency, Col *Byrd* and Mr *Jenings* for their diſburſements att *New York*, but have not directed ye manner of payment, wee conceive therefore, that it will be moſt conveniently paid out of ye enſuing produce of ye Impoſition, that ſhall ariſe upon liquors.

The Claime of *Edward Chilton* Clerk of ye Councel, wee find returned without ye allowance of his juſt due, wch wee could never have expected, being ſoe reaſonable, and are ſomething concerned, that you ſhould make ſuch marks of diſtinction, there is none in yr houſe, but what is fully ſenſible of his great ſervices, expence & charges, wch in a great manner exceed thoſe of any ſherriffe whatever, yet yr houſe, have exceeded yr uſual allowance to ſheriffs & other officers, and not given him as formerly, if therefore you expect, that preſidents be binding, let them be ſoe in this caſe, as well as others, if not, let all Claimes made by ſheriffs & other officers be paid only according to Law, in either of wch wee ſhall reſt well ſatisfied, let us therefore Spin out noe longer time; but that ſuch controverſies may not futurely ariſe between us, wee are content, yt ye vote paſſed by yr Committee for ye annual allowance to him of five thouſand pounds of Tobacco and Caske, bee brought to Ten thouſand pounds of Tobacco & Caske, and that that be a ſatisfaction to him for all ſervices he ſhall doe yearely as Clerk of ye Council, wch being ſoe moderate a propoſal, wee queſtion not yr concurrence, neither in this, nor in payment of what he now claimes.

Wee find you have refferred ye gratification wch you think fitt to be made to Col *Byrd* and Mr *Jennings* to ye next Aſſembly, wch wee think very improper, wee therefore propoſe, that notwithſtanding att preſent, there is noe fund, yt ye gratifications be aſcertained this Aſſembly, and ordered to be paid ye next.

As to what you propoſe in relation to Col *Ludwel*, wee think it reaſonable, and doe therefore agree to it.

Effingham

*X*ber 7th 1685

Col *Lemuel Maſon* &c brings a bill for ye repeal of ye 7th Act of Aſſbly made att *James Citty* ye 16th day of *April* 1684, wch was Aſſented to.

A

A bill for ye better defence of ye Countrey & defraying ye charge thereof by ye Publick.

wch was Affented to, ſome alterations being firſt made.

The Clerk having acquainted his Excellency, that he had received a Command to waite upon ye Burgeſſes &c his Excellency was thereupon pleaſed to order ye following meſſage to be ſent to Mr *Speaker.*

By His Excellency.

*M^r^* Speaker

I have this day ſeen an order of y^r^ houſe commanding *Edward Chilton* Clerk of ye General Aſſembly to appear before you this afternoon, to anſwer his neglect in not bringing to y^r^ houſe ye Records tranſcribed by him & preſented to y^r^ houſe ye laſt Aſſembly; wch I am willing to performe, as far as able; but that he ſhould appear before you for any unbecoming anſwer given to Mr *Robert Beverley* y^r^ Clerk, my leave ſhould firſt have been asked, or complaint made unto me.

*X^ber^* 7th 1685 *Effingham*

---

*X^ber^* 8th 1685

COL *Jo^s^ Armiſtead* &c brings & preſents ye following meſſage.

By ye houſe of Burgeſſes

*X^ber^* 8th 1685

In anſwer to y^r^ Excellencies laſt meſſage, This houſe preſent *viz:*

Reſolved by ye houſe, that ye Countrey is not lyable to pay Mr *Ring* his Claime, and ye debt muſt lye, until his Majeſties revenue can make payment thereof.

Mr *Milner* upon ye choice of another Clerk moved this houſe perſonaly for conſideration of his Attendance & ſervices, wch this houſe then promiſed, they would in proper time conſider of, and have deliberately conſidered and reſolved he well deſerves ye eight thouſand pounds of Tobacco & Caske awarded him, from wch reſolve they can not find how to recede.

As to Mr *Hartwels* claime, this houſe continue their former reſolve, ye allowances being none other, than other former ſheriffs had in like caſes.

Reſolved, that Capt: *Saml Iſaac* be paid for his veſſel, by Mr Auditor *Bacon*, out of ye Impoſt money upon liquors next after his Ex^cy^ and Col. *Ludwel* is paid according to ye agreement made with him by ye Council and allowed of by his Excellency.

Reſolved, that ye moneys due to his Excellency, to Col *Byrd* and to Mr *Edmund Jenings* for their diſburſements yeſterday ordered to be paid them by Mr Auditor *Bacon*, be paid out of ye moneys ariſing from ye Impoſt upon liquors.

This houſe continue their yeſterdays reſolve, y^t^ ye conſideration of ye gratification to Col *Byrd* and Mr *Jennings* ſtand refferred to ye next Aſſembly.

Mr *Chilton* is allowed eight thouſand five hundred and fifteen pounds of Tobacco & Caske, being ye equall ſumme allowed him laſt year, when his claime was much greater, than he pretends to now; This Allowance not to be accounted as preſidential, but that hereafter all claimes be regulated according to Law.

Teſt Robert Beverley Clk Aſſ^bly^

Capt: *Wm Ball* &c delivers ye following meſſage.

*X^ber^* 8th 1685

By ye houſe of Burgeſſes

To his Excellency and ye Councel

This houſe having read and conſidered y^r^ Ex^cies^ late anſwer to ye reſolve of this houſe appointing ye room called ye Porch room in ye ſtate houſe for an office for our Clerk, and that ye lower room under ye Aſſembly room may be fitted, ſoe much thereof, as is neceſſary, for an office for Mr *Secretary*, doe now againe ſupplicate y^r^ Excellency and ye Councel will pleaſe to concur with them therein, for although they doe acknowledge

edge y^t ye f^d Porch room att ye firſt building of ye ſtate houſe was made uſe of, for an office for ye ſecretary, yet ye houſe of Burgeſſes whilſt it ſoe remained, all along obſerved it, both inconvenient and incommodious to them whilſt ſitting; there being nothing Spoken or propoſed in ye houſe, that was not equaly to be heard there, as wel as in ye Aſſembly room itſelfe, beſides ye ſame gave continual opportunity to all ſorts of ꝑſons to crowd before the Aſſembly room, under pretence of coming to ye office.

And this houſe doe again propoſe to y^r Excellency and Hon^rs ſuch part of ye room, under ye Aſſembly room, as is neceſſary for ye ſecretaries office, wch by ſeeling ye walls and raiſing ye floor will become as ſafe & commodious for preſervation of ye Records, as i'ts poſſible any other place can be made, wch they doubt not will ſoe appear to y^r Excellency and ye Councel, to whom they ſubmit ye manner of doing and directions thereof, and againe requeſt ye acceptance thereof to that purpoſe.

Teſt Robt Beverley Clk Aſſ^bly

The following anſwer was ordered to be returned.

By His Excellency & Council.

Y^r reaſons given for ye Porch room to remaine an office for y^r Clerk, have been conſider'd and agreed to, upon condition his Majeſty's ſecretary upon ye firſt notice given him, be content, that his office ſhall be in ye lower room you propoſe, wch is not in ye leaſt to be doubted, and that you will provide, that a ſtrong partition be made under ye ſecond Girder, att ye weſt end of ye ſaid room, ye floor raiſed two foot from ground, ye walls ceeled, with ſawen board ſmooth'd and battened, and ye windows Iron barred, and ſhutters or window leaves of halfe inch board with a Croſſe barr to each, with ſhelves, table and benches to be well done and compleatly finiſhed before ye next General Court, Att ye charge of ye Countrey, to be paid for ye next General Aſſembly, and that you agree with ſome workman accordingly Propoſed alſoe, that you agree with M^r *Wm Sherwood*, for his Hall, ſmall back room, and Cellar, for ye uſe of his Majeſties Govern^r and Councel, for a Councel room, to debate all matters relating to ye Governm^t of this his Maj^ties Dominion of *Virginia*, being more convenient, than any yet made uſe of, for privacy and dignity, his Excellency having lodgings in ye ſame houſe, and deſire you'l treat with Mr *Sherwood* accordingly.

X^ber 8th 1685

E Chilton C^l Genl Aſſ^bly

Mr *Matthew Kemp* &c brings ye following Meſſage

X^ber 8th 1685

By ye houſe of Burgeſſes

Reſolved, that Col *Tho: Ballard*, Maj^r *Arthur Allen*, Maj^r *Saml Swan* and Mr *Hen: Hartwel* or any three of them, doe with ye firſt poſſible conveniency treat and agree with ye Honble Col *Ludwel*, or ſuch other perſon or perſons, as they ſhall think fit to treat and agree with for ye expeditious undertaking and finiſhing ye work about ye fitting up an office for Mr *Secretary*, according as ye ſame is propoſed to be done by his Excellency and ye Councel, and they are by this reſolve impowered to make ſuch Agreement and engage ye Publick faith for payment to be levied and made by ye next Aſſembly, his Excellency and ye Councels concurrence is deſired herein.

Teſt Robt: Beverley Clk Aſſ^bly

Mr *Richd Littlepage*, M^r *Jo^n Lear* &c bring & preſent ye following meſſage.

X^ber 8th 1685

Col. *Tho: Ballard*, Mr *Hen: Hartwell*, Maj^r *Saml Swan* Maj^r *Arthur Allen* Being appointed a Committee to treat and make agreem^t with M^r *Wm Sherwood*, for his great Hall, and ye back room on ye ſame floor, and ye Cellar under ye ſaid room, according to a propoſal this day made by his Excellency and Councel, doe Report.

That purſuant to ye ſaid propoſal, they have treated and agreed with Mr *Sherwood*, he ye ſaid Mr *Sherwood* compleatly fitting & furniſhing ye ſaid great Hall &c and for fire, candle and attendance, for ye uſes and purpoſes in ye ſaid propoſal expreſt, for twenty

twenty five pounds *ſterl* ℔ *annum*, to be paid out of ye three pence ℔ gallon on liquors imported, to commence att ye next meeting of his Excellency & Councel, and to continue till ye end of ye next ſeſſion of Aſſembly.

X^ber 8th 1685

Read in ye houſe, allowed & confirmed

Teſt Robert Beverley Clk Aſſ^bly

X^ber 8th, 1685

Reſolved, that a copy hereof be ſent to his Excellency & ye Councel to wch their concurrence is deſired by this houſe.

Teſt Robert Beverley Clk Aſſ^bly

Ordered, y^t ye Clerk carry ye following meſſage to ye houſe of Burgeſſes.

Mr Speaker

Since you can not be perſuaded to regulate the Claimes, wee had rather allow them, than put ye Country to any farther charge by theſe diſputes; And ſince you have ſaid nothing to ye allowance of twenty thouſand pounds of Tobacco & Caske made to ye Clerk of ye General Aſſembly, wee take it for granted, that you have allowed it, therefore deſire you will proceed to ye proportioning ye Levy, that wee may put an end too morrow morning to this tedious ſeſſions.

E Chilton C^l Genl Aſſ^bly

X^ber 8th 1685

Mr *Littlepage* &c brings ye following meſſage

X^ber 8th 1685

By ye Houſe of Burgeſſes.
To his Excellency and ye Councel

This houſe having read and conſidered y^r Excellencies & Councels late meſſage relating to Mr *Chilton*s allowance as Clerk of ye Genl Aſſembly expreſſed in theſe following words (and ſince you have ſaid nothing of ye allowance of twenty thouſand pounds of Tobacco and Caske made to ye Clerk of ye General Aſſembly, wee take it for granted, that you have allowed it) doe ſignifye to y^r Excellency & Hon^rs y^t nothing has been before us, whereby wee could take notice of any ſuch allowance, and conſequently have not allowed ſuch ſumme, but this houſe have inſpected ye laſt Aſſemblies Journal & there find, after many ſerious conſiderations in ye houſe, and conferences with ye houſe had and done about a fit allowance to Mr *Chilton* as ſuch Clerk, there was then conſidered of and allowed him ten thouſand pounds of Tobacco & Caske, for his ſallary as Clerk of ye General Aſſembly, and this houſe doe now agree, *nemine contradicente*, to ye like allowance for this Aſſembly, to wch they pray y^r Exc^lcy and Hon^rs conſent & concurrence

Teſt Robert Beverley Clk Aſſ^bly

The Clerk carries ye following anſwer to ye houſe of Burgeſſes

By his Excellency.

Mr Speaker

As to y^r Anſwer concerning *Edward Chilton*s ſallary as Clerk of ye General Aſſembly, wee find you have allowed him but ten thouſand pounds of Tobacco & Caske, and that becauſe you ſay, ſerching ye laſt Journal you find noe more allowed, but you may likewiſe find, that it was then conſented to with this exception, that It ſhould not be preſidential, therefore wee think it moſt fitt and reaſonable, that he have ye equal allowance with ye Clerk of y^r houſe, wch will be ye ready way to hinder all diſputes for ye future and diſſatisfactions for ye preſent, he hath plainly demonſtrated to us, and is ready to doe ye ſame to you, that with his Clerks ſallary, his own expences and charges of diſtributing Proclamations, he is realy out of purſe, above fouerteen thouſand pounds of Tobacco & Caske, and you have allowed him for ye whole but eighteen thouſand, odd hundred, therefore myſelfe and ye Council expect y^r compliance herein.

As to ye agreement made by y^r houſe with Mr *Sherwood*, myſelfe & ye Councel conſent.

Effingham

X^ber 8th 1685

X^ber

X^{ber} 9th 1685

MAJR *Arthur Allen* &c brings ye following meſſages.

X^{ber} 8th 1685

By ye Houſe of Burgeſſes

In anſwer to his Excellencies and the Councels late meſſage concerning Mr *Edward Chiltons* ſallary, as Clerk of ye General Aſſembly, This houſe humbly pray his Excellency and ye Councel to accept this their unanimous reſolve.

Reſolved, that they can not depart from their late reſolve that Mr *Chilton* be allowed as Clerk aforeſaid, for this ſeſſion of Aſſembly ten thouſand pounds of Tobacco & Caske and noe more.

Teſt Robert Beverley Clk Aſſembly

X^{ber} 8th 1685

Majr *Arthur Allen*, Col *John Armiſtead*, Mr *Arthur Spicer*, & Col *Wm Loyd*, are appointed by ye houſe to ſignifye unto his Excy that in ye copy of ye engroſſed bills, for ye body of ye Laws late ſent to his Excellency and Councel for their peruſal, under ye teſt of ye Clerk of ye Aſſembly, ye ſame being brought back to ye houſe by Mr *Chilton*, was obſerved by this houſe a certain paper noe waies authenticated, and farther to let his Excellency know from this houſe, that ye ſaid engroſſed bill, as it came from ye houſe is perfectly agreable with ye Bill fully voted, in this houſe, and wch having received ye Teſt of his Excellencies & ye Councels Aſſent, wch gives ye ſame ye full force of Lawes, and can not therefore without ye authority of another Aſſembly admit of, or receive any alteration or addition.

Teſt Robt Beverley Clk Aſſbly

Ordered, that ye Clerk of ye Genl Aſſembly deliver to Mr *Speaker* ye following writing.

By His Excellency

Yr meſſage this morning received about ye Bill for Ports &c, where you inſiſt ye Bill was agreed to, ye ſame is a very great miſtake, for firſt it came with forty five Townes, and then myſelfe and ye Councel propoſed to you, that two Towns in a river would be ſufficient and upon that conſideration, there was noe alteration in that clauſe about ye officers fees att ye Townes, It being thought poſſible, that ye Collector either by himſelfe or his Deputy, might give attendance, and then you propoſed to have a Town in each County, wch was then thought reaſonable by ye Councel, but then it will be impoſſible for a Collector to be att all places, and therefore there muſt be an officer appointed and allowances made, or elſe ye Law will never be practicable; and as ye Act propoſes ye ſecurity of his Majties revenue, this will much diminiſh it; and It was never known, that officers were appointed and noe fees allowed; and as to ye not ſigning ye alteration of ye Act, there was no room in ye margent to write ye alteration, and therefore It was wrote in a peice of paper and affixed to ye Act, wch hath been alwaies ye way, without ſigning, all wch being conſidered, I can not agree to that bill without that Amendment, that there ſhould be reaſonable fees ſett for ye officers to be paid by ye owners of ye Goods, merchandizes, ſervants and ſlaves.

Effingham

X^{ber} 9th 1685

Since you can not be prevailed with to make ye allowance to ye Clerk of ye Genl Aſſembly, as was thought fitt, yr laſt anſwer is allowed of.

Effingham

Col *Lemuel Maſon* &c preſents ye following paper

X^{ber} 9th 1685

By ye Houſe of Burgeſſes

May It Pleaſe yr Excellency

This houſe having cauſed to be read and ſeriouſly weighed yr Excies meſſage in writing this day ſent to them by Mr *Chilton* relating to ye Bill for Ports &c are much ſurprized to finde yr Excellency concludes them under a great miſtake, when they inſiſt

ye

ye Bill is agreed to by y^r Excellency & ye Councel, and therefore hath ye force of a Law, and can not with[out] ye authority of another Aſſembly admit of or receive any alteration or addition.

This poſitive affirmation this houſe begs leave a ſecond time to make to y^r Excellency, from which they can not in ye leaſt deviate, y^r Excellencies and ye Councels aſſent to ye Bill being before them under ye Teſt of *Edward Chilton* Clerk of ye General Aſſembly, wch beares date ye firſt of this inſtant *X^ber* and therefore this houſe humbly hopes, that att ye reading ye fair engroſſed Bill, y^r Excellency will pleaſe to ſigne ye ſame, as ye Speaker of this houſe will likewiſe doe, according as hath been all along cuſtomary for ye better authenticating thereof, after ye ſame hath been made publick by being read before y^r Excellency, ye Councel and ye houſe of Burgeſſes, wch is and hath alwaies been held a full & ſufficient publication of ye Lawes, of wch ſubſcription this houſe humbly prayes y^r Excellency will aſſure them.

And now becauſe this houſe are deſirous, (as their duty is) to give y^r Excellency all ye ſatisfaction poſſible, that what they propoſe is well becoming them, they humbly offer to make anſwer to ye other particulars by y^r Excellency mentioned in ye aforeſaid written meſſage.

Y^r Excellency is pleaſed to ſay, that there being a Town in each County, It will be impoſſible for a Collector to be att all places, & therefore there muſt be an officer appointed and allowances made, or elſe ye Law will never be practicable; and as ye act propoſes ye ſecurity of his Maj^ties revenue, this will much diminiſh it, and it was never known, that officers were appointed & noe fees allowed.

This houſe moſt readily concede, that as ye Collectors have hitherto acted, to make all maſters, merchants &c waite their pleaſures att their houſes, and not only ſoe, but ye incertainty of finding them there to enter and clear ſhips, would be too burthenſome for merchants and traders &c, for every entry of Goods, to be forced thither, and that therefore It will be of abſolute neceſſity, as wel for ye reaſonable encouragement of Trade, as ye advancement & better Securing his Maj^ties Cuſtomes, that att each Port a Collect^r or Officer doe reſide (ye wch to appoint is in y^r Excellencies authority, and ye ſalary allowed out of ye ſaid revenue being ten ℔ *Cent* is ſoe conſiderable, that y^r Excellency needs not doubt to find fitt ℔ſons humble ſuitors for ſuch employ, who noe doubt will be found faithfull therein, and willing to give ſuch ſecurity therefore, as y^r Excellency ſhall require, and for ye other fees due to ye Collectors for entring and clearing ſhips and giving Cocquets for Tobaccos to be ſhipt, his Maj^ties Lawes and ye Lawes already made here doe well and ſufficiently provide.

And farther *May It Pleaſe y^r Excellency*, this houſe begs leave to affirme to y^r Excellency, that they well apprehend, that when ye Act for Ports takes place, if ye officers appointed for his Maj^ties Cuſtomes ℔forme their duty, as they ought & eaſily may, his Majeſties revenue here will be found to encreaſe very conſiderably, that of ye Impoſt of two ſhillings ℔ hhd, not unlikely a fourth part, that of one penny ℔ pound upon Tobaccos more than double, and ye like may be hoped of ye Impoſt upon liquors.

ffor as ye manner has hitherto been uſed by ye Collectors taking Entries inwards and outwards, this houſe preſumes to acquaint y^r Excellency, noe maſter, merch^t or Trader needs to make Entry or pay duties for more goods, than himſelfe pleaſes to tell the Collector he hath imported or is ready to export, and as their humour leads them to be more or leſs honeſt therein, even ſoe they pay more or leſs Cuſtome.

This Houſe moſt humbly begs y^r Excellencies pardon, if in theſe intimations, they have too far preſumed, it proceeding from their loyal zeal to his Maj^ties intereſt, and ye welfare of thoſe whom they repreſent.

Signed by order of ye Houſe of Burgeſſes

Robert Beverley Clk Aſſ^bly

The two following meſſages are preſented to his Excellency by Mr *John Braſſeur* and others of ye houſe of Burgeſſes.

X^ber

X^{ber} 9th 1685

By ye Houſe of Burgeſſes

It being reſolved by ye houſe of Burgeſſes, yt a Committee ſhould treat and agree with ye Honble Col *Phillip Ludwel* for making & finiſhing an office for ye Honble Mr *Secretary*, in ye room of ye ſtate houſe oppoſite to that for holding General Courts; It is reported to ye houſe, that an agreemt is made with ye ſaid Col *Ludwel*, yt he doe build and finiſh an office in ye ſaid room, according to ye propoſal from his Excellency and ye Honble Councel; and that a well made partition be made therein, one part whereof to be for ye Clerks writing, and receiving ℔ſons coming thither upon buſineſſe, and ye other for ye placing ye Records, and other papers in; In conſideration whereof, yt ye ſd Col *Ludwell* have thirty pounds *ſterl* paid him, from ye Impoſition of three pence ℔ gallon upon liquors, and that Mr *Auditor* be deſired to ſatisfye ye ſame by ye firſt day of X^{ber} next.

Read in ye houſe allowed and approved of, & reſolved that his Excellencies & ye Councels concurrence be deſired therein.

Teſt Robt Beverley Clk Affbly

X^{ber} 9th 1685

By ye Houſe of Burgeſſes.

Reſolved, that Col *Tho: Ballard*, Majr *Arthur Allen*, Majr *Saml Swan* and Mr *Henry Hartwel* or any three of them doe treat and agree with ye Honble Col *Ludwel* about railing with raile and baniſters of Locuſt & Cedar laid double in Oyle, and as cloſe as may be ye forepart of ye ſtate houſe of convenient height and att convenient diſtance from ye houſe & report their agreement when made to this or ye next ſeſſion; his Excellencies and ye Councel concurrence is deſired herein.

Robt Beverley Clk Affbly

Ordered, yt ye Clerk carry ye following meſſage to ye houſe of Burgeſſes

X^{ber} 9th, 1685

By his Excellency

Mr Speaker

I have received yr anſwer to what I ſent you in ye morning and continue my opinion, that you are ſtill under a miſtake in thinking any bill (though agreed to by you and ye Councel) ſhould have ye fforce of a Law, until it be publickly read before me, ye council & ye Houſe of Burgeſſes, and then ſigned by me, and you as Speaker; I appeal to yrſelves, whether any Bill in *England*, though agreed to by ye Lords and Commons, and fairely engroſſed, hath any force, before ye Royall Aſſent confirmes it; ſhould I allow It otherwiſe to be authentick, I ſhould deſtroy his Majeſties Prerogative in his negative voice, wch Jewel he hath entruſted with me, wch God willing, I will preſerve, therefore ſhall not paſſe that Law for Ports &c unleſſe that clauſe be allowed of, wch I laſt ſent to you,

And whereas you further intimate, that it will be ye encreaſe of his Majties Revenue of two ſhillings ℔ hhd, & other duties myſelfe and ye Council conclude ye Contrary, and that from this ground, that whereas Maſters of ſhips, doe from ye encouragemt of ten ℔ Cent allowed them, and their ꝑſent conveniency of diſpatch, give bills of Exchange for their whole loading & take them from every individual planter in ſmall parcels, according to ye number of hhds they ſhip, who being burthened by this bill you now propoſe with greater inconveniences & retarding their voyage by ſuch frequent loadings and unloadings of their ſloops [will be diſcouraged from paſſing their bills] as formerly, and force Mr *Auditor* to accept thoſe Bills from ye Planter, and what dimunition that will prove to ye two ſhillings ℔ hhd, conſidering ye inability & poverty of *Virginia*, is obvious.

Further I find, that you think that Maſters of ſhipps doe make Entry and pay Duties for noe more goods, than what ſeem good to them; if any of yr houſe know any ſuch Maſter, pray informe me, that they may be dealt withal, according to Law, but bonds being given in *England* and there ye Cocquets ſigned by ye Commiſſioners of ye Cuſtome houſe for goods imported as likewiſe for all other his Majeſties Plantations & the Collectors giving them their Oaths for goods exported & taking bonds according to Law in that caſe provided & Certifying to ye Commiſſioners of his Majeſties Cuſtom

houſes

houſes ye loading of every individual ſhip; and there being noe port in his Majeſties Dominions, where there is a Cuſtom houſe, but ye waiters attending have a certaine fee for every parcel of goods, that is either imported or exported, makes me conclude it ye beſt way for ſecuring his Majeſties Dues; and whereas you ſeem to reflect as if ye Collectors had been defficient in ye diſcharge of their duties, I have ever ſince I was Govern^r made it my great care to diſcover, but never yet found any ground of ye leaſt ſuſpicion; and if any ꝑſon ſhould make a juſt complaint to me ag^t any of them, I ſhall willingly receive it that they may be made examples for ye future, all wch being conſidered, I ſhall not recede from my former reſolution.

Effingham

By His Excellency & ye Councel.

As to ye agreement made by y^r houſe with Col *Ludwel* about making a fitt and convenient office for Mr *Secretary*, wee agree,

Wee doe likewiſe agree to ye propoſal of y^r houſe to be made to Col *Ludwel* about ye railing in ye fore part of ye Court Houſe.

E Chilton Cl Genl Aſſ^bly

X^ber 9th 1685

X^ber 10th 1685

ORDERED y^t ye Clerk of ye General Aſſembly goe to ye houſe of Burgeſſes and deſire of Mr *Speaker* ye firſt bill propoſed by their houſe for Ports &c, his Excellencies anſwer thereto; as likewiſe ye Bill appointing one Port in each County be ſent to his Excellency.

Col *Tho: Ballard*, Lt Col *Wm Loyd*, &c bring ye above Bills and anſwers.

Ordered y^t ye Clerk carry ye following meſſage to ye houſe of Burgeſſes.

X^ber 10th 1685

Mr Speaker

Since my anſwer to what y^r houſe ſent yeſterday, I have peruſed and conſidered ye Bill for Ports &c Aſſented to by ye Councel and find in ye amendment of ye firſt propoſition for forty five Townes where ye Councel propoſed there ſhould be two Townes in a river It was there added in ye ninth page, that there ſhould be fees appointed by Law for ye officers att each Town; and when y^r houſe propoſed to me and ye Councel on ye 30th of *9^ber* that inſtead of two Ports &c in a river, there might be one in a County, that to all ye other alterations and amendments made by ye Councel in ye Bill you had agreed to; whereupon ye Bill paſſed ye Councel ye firſt of *X^ber* but when you ſent ye Act drawn out att large, wee found that you had not appointed fees for ſuch officers, wch was one of ye amendments made, and indeed a moſt material one for his Majeſties ſervice & ye ſecuring his duty; and therefore you have gone all along upon a miſtake, inſiſting that ye appointing fees for officers was never in ye Bill, wch now clearly appeareth otherwiſe; and if it was thought neceſſary, that fees ſhould be eſtabliſhed for officers, when but two Townes in a river, than *a fortiori*, when there is one Towne in each County.

Effingham

The Clerk carries ye following meſſage to ye houſe of Burgeſſes.

By His Excellency

Mr Speaker

I find y^r houſe ſo delatory in y^r proceedings and have ſatt ſoe long to ſoe little purpoſe, that I am aſhamed to give his Majeſty an account of it, and you may be much more to thoſe that ſent you hither, therefore I think it high time to let you know, that I expect that bill about Ports &c ſhall paſſe with that amendment I laſt ſent, or laid wholy aſide, and ſoe forthwith proceed to ye proportioning ye Levy, elſe I ſhall ſooner, than perhaps you expect, put a period to this convention. I have in every thing, that was deſired, conſented to eaſe ye Leavy, but I find you intend by y^r long ſitting to advance it beyond a parrellel; had that clauſe, when agreed on, been inſerted, it had prevented

vented all diſputes; whether it proceeded from ye negligence, or other waies of y^r^ Clerk, I leave you to examine, but for either, he ought to be made an example; what greater charge may burthen ye Countrey by ye continuance of ye ſoldiers att ye heades of ye rivers, or ye inconveniences happen, ſhall lye att y^r^ doors,

Effingham

X^ber^ 10th 1685

X^ber^ 11th 1685

COL *Arthur Smith* &c pſents ye following meſſage

X^ber^ 11th 1685

By ye Houſe of Burgeſſes

To His Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Majeſties L^t^ and Govern^r^ Genl of* Virg^a^

This houſe in anſwer to y^r^ Excellencies meſſage even now recd doe unanimouſly pſent, that they have already ſoe fully anſwered this y^r^ Excellencies propoſition about ye Bill for Ports &c & rendered ſuch reaſons, why they ſoe earneſtly pray y^r^ Excellencies pmiſe to ſubſcribe ye faire drawn engroſſed Bill, without ye addition of a table of fees for officers annexed thereto, that they can not doe more, than renew ye ſame requeſts, of wch being aſſured from y^r^ Excellency, they ſhall cheerfully & readily put themſelves upon ye proportioning ye Levy, & finiſh all other things neceſſary for ye ſpeedy determination of this ſeſſion.

Signed by order of ye houſe of Burgeſſes

Robert Beverley Clk Aſſ^bly^

Ordered, that ye Clerk carry ye following meſſage to ye houſe of Burgeſſes

By His Excellency

*M^r^* Speaker.

Since my laſt to you I have peruſed his Majeſties Commiſſion to me, and that I may leave you with out excuſe, I have herewith ſent you a clauſe thereof, whereby you may be informed, that though ye Councel, nay, though myſelfe had aſſented to any bill by you preſented to us, yet I have a negative voice, as wel in ye paſſing, as in ye making thoſe Lawes, but that you may ſee, how willing I am, that an amicable end may be made to this meeting, I am ſtill willing, that it be preſented to his Majeſty, that his Majeſties pleaſure may be known therein; when you have well conſidered that clauſe of his Majeſties Commiſſion to me, I cannot but hope, for y^r^ ready & cheerful obedience to ye ſame.

Effingham

X^ber^ 11th 1685

The Clauſe followes

And to ye end nothing may be paſſed or done by our ſaid Councel or Aſſembly to ye prejudice of us, our heires and ſucceſſors, wee will and ordaine, that you ye ſaid *Francis* Lord *Howard* ſhall have and enjoy a negative voice in ye making and paſſing of all Lawes, ſtatutes, and ordinances.

Capt: *Hen: Applewhaite* &c, brings ye following meſſage.

X^ber^ 11th 1685

By ye Houſe of Burgeſſes

To his Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Majeſties L^t^ and Govern^r^ General of* Virginia.

Whereas y^r^ Excellency is pleaſed to ſay in y^r^ laſt meſſage to this houſe, that although ye Councel, nay, y^r^ſelfe had aſſented to any Bill by us preſented to y^r^ Lordſhip, that you ſtill had a negative voice, and to evince wch have ſent to this houſe a clauſe of y^r^ Excellencies Commiſſion relating thereto, wch clauſe has long before by this houſe been maturely & deliberately conſidered.

And

And this houſe, as they have by their ſeveral former meſſages conſtantly owned y^r Excellency to have ſuch negative voice in ye making or paſſing all Lawes, ſoe they unanimouſly agree, that y^r Lordſhips aſſent being once obtained, to any Bill, it can not faile of having ye force of a Law, until his Majeſty himſelfe ſignifye his *Nolumus*, or it be deſtroyed by ye ſame power, that made it, wherefore this houſe moſt earneſtly ſupplicates y^r Excellency to give them y^r Aſſurance of ſigning ye fair engroſſed bill for Ports together with ye other bills this ſeſſion Aſſented to by y^r Excellency, and this houſe will moſt willingly & readily proceed to ye proportioning ye Levy, that an end may be put to this.

Signed by order of ye Houſe of Burgeſſes

Robert Beverley Clk Aſſembly.

X^ber 12th 1685

COL *John Weſt* &c brings ye following paper.

X^ber 11th 1685

By ye Houſe of Burgeſſes.

To His Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Majeſties L^t and Govern^r General of* Virginia

May It Pleaſe y^r Excellency.

This houſe doe ſorrowfully receive y^r Excellencies two written meſſages, ye one dated ye 9th ye other ye 10th inſtant about ye Bill for Ports &c In Anſwer to wch they are neceſſitated to reiterate to y^r Excellency, y^t ye ſaid bill is before them plainly & in expreſſe words aſſented to by y^r Excellency and ye Councel, under ye Teſt of *Edward Chilton* Clerk of ye General Aſſembly, wch this houſe looks upon ſtil (as ever it hath been held) too carry ſoe much ye force of a Law, that it can admit of noe alteration or addition, without ye authority of a ſucceeding General Aſſembly, from wch averment this Houſe can in noe waies depart.

And whereas y^r Excellency is pleaſed to ſay, wee lye under a miſtake in thinking any Bill, though agreed to by this houſe, and ye Councel, ſhould have ye force of a Law, until it be publickly read before y^r Excellency, ye Councel and this houſe, and then ſigned by y^r Excellency, and our Speaker, and in that appeal to ourſelves, whether any bill in *England*, though agreed to by ye Lords and Commons, and fairely engroſſed, hath any force, before ye Royal Aſſent confirmes it, and thereto y^r Excellency is pleaſed to add, that ſhould y^r Excellency allow ye bill otherwaies to be authentick, you ſhould deſtroy his Majeſties prerogative in his negative voice, wch Jewel he hath entruſted y^r Ex^cy with, and wch God willing, y^r Excellency will preſerve, and therefore ſhall not paſſe ye bill for Ports &c without ye addition of other matters and clauſes then is mentioned in ye ſaid bill ſoe aſſented to as aforeſaid.

This houſe begs leave to informe y^r Excellency, that it never entered into their thoughts, that any bill, though agreed to by ye Councel and this houſe, did thereby take any life before y^r Excellencies Aſſent alſoe was obtained to ye ſame, and this houſe alwaies underſtood, that though ſuch agreement were, y^r Excellency as his Majeſties repreſentative, hath ye undoubted right of a negative voice; but in ye matter of this bill for Ports, And all other ye bills ſent this ſeſſion from this houſe to y^r Excellency and ye Councel, y^r Excellencies aſſent is obtained for ye ſaid bills, having firſt paſſed ye votes of this houſe, were ſeverally ſent to y^r Excellency and ye Councel for approbation, concurrence and aſſent, And ye ſaid Bill for Ports amoungſt divers others is returned to this houſe Aſſented to by y^r Excellency and ye Councel, as ye ſame is fairely engroſſed, without any diſtinction of having, as y^r Excellency expreſſes it, ye Aſſent of ye Councel only, who this houſe muſt and doe own in this Government *quatenus* ye upper houſe, or that of Lords, in relation to ourſelves ye Commons of this his Maj^ties Dominion of *Virginia*, and therefore in a Parliamentary method or proceeding may concur, but not

aſſent

affent or give life to any Law, being equaly fubjects to one & ye fame monarch, though moving in a higher ſtation, and for that ye bill for Ports &c as aforefaid has paſſed this houſe, and been ſent to y^r^ Excellency and ye Councel; wee never yet knew, but on ye contrary find by former proceedings of Aſſemblies, that a bill returned with theſe words, *affented to*, atteſted by ye Clerk of ye General Aſſembly, was ever queſtioned, diſputed or altered by ye Govern^r^ but readily ſubſcribed, when preſented in fair engroſement, otherwaies Its preſumed, this bill amoungſt others had not been returned ſoe atteſted.

And in anſwer to y^r^ Excellencies meſſage of yeſterdayes date, wherein (to uſe y^r^ Excellencies words) y^r^ Excellency is pleaſed to ſay, that in ye ſaid bill for Ports &c affented, y^r^ Excellency obſerves in the amendment of ye firſt propoſition of forty five Ports, wharfes, Keys & places, where ye Council propoſed there ſhould be two Townes in a river, It was there added in ye ninth page, that there ſhould be fees appointed by Law for ye officers att each Town, and when this houſe propoſed to y^r^ Excellency and ye Councel ye 30th of 9^ber^ that inſtead of two Ports &c. there might be one in a County, and that to all other ye alterations and amendments made by ye Councel, in ye Bill, this houſe had agreed to, whereupon ye bill paſſed ye Councel ye firſt of *December*, but when ye Act came from this houſe drawn out att large, y^r^ Excellency and Councel found, that this houſe had not appointed fees for ſuch officers, wch was one of ye amendments made, and y^r^ Excellency is pleaſed farther to ſay, that indeed that amendment is a moſt material one for his Maj^tie^s ſervice, and ye ſecuring his duties, and that therefore this houſe have gone all along upon a miſtake, inſiſting yt ye appointing fees for officers was never in ye bill, as it now clearly appeareth otherwaies, and if it was thought neceſſary, that fees ſhould be eſtabliſhed for officers, when but two Townes in a river, then *a fortiori*, when there is one Towne in a County.

This houſe beg leave to obſerve to y^r^ Excellency, that in ye ſaid bill for Ports, as ye ſame came firſt from this houſe to y^r^ Excellency was inſerted this following clauſe or paragraph, *and foraſmuch, as it appeares, that ſeveral unlawful & indirect meanes & devices are daily put in practice to export and import goods & merchandizes out from and into this his Majeſties Dominion of* Virginia *to ye great defrauding ye Kings moſt Excellent Majeſty of his dues and Cuſtomes here, as wel by ſecret, and deceitful deſignes, as by open force and violence uſed ag^t^ ye Kings Majeſties Officers employed in ye affaires of ye Cuſtomes* viz*: ye Impoſt of two ſhillings ℔ hhd upon all Tobaccos exported, ye Impoſt or Cuſtome of one penny ℔ pound for all Tobaccos going from hence, to any other his Maj^tie^s Plantations, and ye Impoſt or duty of threepence ℔ gallon, on all wines, brandy, rum &c imported into this his Maj^tie^s Dominion of* Virginia, *and not having firſt paid his Majeſties Cuſtomes in* England, *and coming directly from thence; for ye better prevention of wch frauds and violences in time to come, and for ye encouragem^t^ of trade and eaſe of merch^ts^ traders hithers, maſters of ſhips, mariners, and other ye Inhabitants of this his Maj^tie^s Dominion of* Virginia, *that from and after ye ſaid twentieth day of* September *1687, ye officers appointed by his Majeſty to make entry of all ſhips and veſſels coming into and trading in this his Majeſties Dominion, and to collect and receive his Majeſties ſeveral Cuſtomes due for all goods and merchandizes to be imported or exported, ſhall in their own ℔ſons, or by their ſeveral Deputies, reſide daily in every of ye before nominated Ports, wharfs, Keys, or places, within their diſtinct and ſeveral diſtricts, there to receive and make entry of all Tobaccos, goods and merchandizes to be exported or imported, according to ſuch rules & directions, as ſhall from time to time be given them by his Majeſty, his Majeſties Govern^r^ here, or ſuch other, as his Majeſty ſhal pleaſe to authorize thereto,* wch ſaid part of ye ſaid bill is ye only part that enjoines officers to reſide att ye ſaid Ports, wharfes, Keys or places, and is by y^r^ Excellency and ye Councel marginaly noted with theſe following words *viz: This is particularly & more effectualy provided for by Act of Parliament, and by Inſtructions from ye Commiſſioners of his Majeſties Cuſtomes in* England, *than wee can doe here, therefore ought to be omitted.*

To wch amendment or omiſſion in ye ſaid bill, this Houſe agreed and cauſed ye faire engroſem^nt^ thereof to be drawn leaving ye ſaid clauſe or paragraph wholy out, and

conſequently

conſequently medled not att all with appointing officers to reſide att all or any one of ye ſingle Ports, wharfes, Keys or Places in each reſpective County, nor with ſetling fees to ſuch officers, as by his Majeſty or yr Excies Commands ſhould be appointed (in time to come) to reſide there if any ſuch ſhall happen to be ſoe appointed, in that wholy ſubmitting to And concluding with yr Excellencies and ye Councels direction therein.

And to what yr Excellency is pleaſed to return to this houſe in anſwer to that part of their late humble propoſal to yr Excellency, that it will be for ye advancement and better ſecuring his Majties Cuſtomes that att each Port an Officer be appointed to reſide to take notice and make entry of all Goods, lyable to Cuſtome, or other impoſition before ſuch goods ſhall be ſhipped of, for exportation or admitted to be taken on ſhore into ye Importers poſſeſſion, after which I'ts utterly impoſſible to know or find out, whether ye ſame have duely paid ye Cuſtomes due to his Majty *viz:* that yr ſelfe and ye Councel conclude ye contrary from this ground, that whereas now maſters of ſhips doe from ye encouragement of ten ℔ cent allowed them, and their preſent conveniency of diſpatch give bills of Exchange for their whole loading, and take them from every individual planter in ſmal parcels, according to ye number of hhds they ſhip, who being burthened by ye bill for Ports, with greater inconveniencies, and retarding their voyage by ſuch frequent loadings and unloadings of their ſloops will be diſcouraged from paſſing their bills, as formerly, and force Mr *Auditor* to accept thoſe bills from ye Planter, and what a dimunition that will prove to ye two ſhillings ℔ hhd conſidering the inability and poverty of *Virginia*, is obvious.

This houſe in all humility, out of their loyal zeal to his Majties Intereſt and hearty deſires of rightly informing yr Excellency therein, can not think themſelves diſcharged of their duty, if they ſhould not this once more aſſure yr Excellency, that it is a plain, undoubted, and demonſtrative truth, that his Majeſties revenue here of ye two ſhillings ℔ hhd & penny ℔ pound on Tobaccos, and alſoe ye Impoſt of three pence ℔ gallon on liquors will be much better diſcovered and ſecured to be more duely and fully paid, when ye bill for Ports ſhall take effect (if officers be made to reſide there, then now it is or poſſibly can be, except it be allowed and granted, that maſters of ſhips who goe for *England*, and are lyable for ye impoſt of ye two ſhillings ℔ hhd, and other merchts, maſters or traders, who export Tobaccos lyable to ye Cuſtome of one penny ℔ pound, as alſoe thoſe traders hither, who import liquors lyable to ye duty of three pence ℔ gallon, will all of them be ſoe conſcientiouſly honeſt, as to make true entry and conſequently pay ye full Cuſtomes due, for as ye management hath hitherto all along been, i'ts impoſſible to diſcover ye frauds uſed therein, ye maſter or mercht not making any entry of what he hath on board for exportation, until his ſhip is on ye point of ſailing, nor ye Importer oblidged further, than on his own word to tell ye Collectors, what liquors he hath on board lyable to ye duty of three pence ℔ gallon, on wch he receives a lycence to trade, and paſſes where he pleaſes with his ſhip or veſſel to deliver and unload, without further ſearch or enquiry by any officer, whether true entry or report hath been made with the Collector.

And whereas yr Excellency is pleaſed to ſay, that there is noe Port in his Majeſties Dominion, where there is a Cuſtom houſe, but ye waiters attending have a certaine fee for every parcel of Goods, that is either imported or exported, wch makes yr Excellency conclude it ye beſt way for ſecuring his Majties dues; This houſe in noe ſort diſagree thereto, and beg leave they may farther add, that they alſoe beleive, there is noe place in his Majeſties Dominions beſides this, where there is not certaine Ports and Places appointed and ſet for ſhipping of and receiving on land all goods and merchandizes exported or imported, wch are lyable to pay duties, and Cuſtome houſes erected, where ye officers are bound to give due attendance for ye exporter or importer to make Entry & receive Cocquets.

And foraſmuch as this Bill for Ports can not take effect until ye 20th of 7ber 1687, if his Majeſty ſhall pleaſe to direct & Command officers there to attend and reſide, and what fees It ſhall be lawful for them to demand and receive, when ye ſame ſhall be known, they will undoubtedly be complied with; and therefore this houſe doe now againe make

humble

humble ſuit to yr Excellency to give them aſſurance of yr Excellencies ſubſcribing ye fair engroſt Bill, as ye ſame hath paſt in all reſpects equaly aſſented to with other Bills, and hath coſt ſoe much time in debate

Signed by order of ye Houſe of Burgeſſes

Robt Beverley Clk Affbly

Ordered, that ye Clerk goe to ye houſe of Burgeſſes, & acquaint Mr *Speaker*, that his Excellency commands him and ye reſt of the houſe of Burgeſſes, to come to his Excellency & ye Councel in the Court Houſe.

Col *Tho: Ballard* &c comes into ye Court houſe and preſents ye following meſſage.

Xber 11th 1685

By ye Houſe of Burgeſſes

To his Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Majeſties Leiuetenant and Governr General of* Virginia.

May It pleaſe yr Excellency

The reiteration of yr Excellencies former meſſages by one ſent to this houſe laſt night, as it can not but redouble their ſorrow to be eſteemed delatory in their proceedings, ſoe does it neceſſitate this houſe to repeat to and aſſure yr Excellency, that they have all along with their utmoſt diligence, vigour and zeale purſued ye Countries affaires, and doe confidently beleive ye good fruites of their conſtant and indefatigable endeavours will give full ſatisfaction to ye ſeveral Inhabitants of this his Majeſties Dominion, by whom they are ſent as repreſentatives, and therefore conceive noe complaint therein can be juſtly made unto his Majeſty.

As to that part of yr Excellencies meſſage relating to ye Ports &c This houſe doe well hope, they have already ſent their humble, full, and ſatisfactory anſwer to yr Excellency in their return to two precedent meſſages received on ye 9th & 10th inſtant about ye ſame.

The porportioning of ye Levy, as it is a worke that requires very little time, for ye ſettlement, ſoe it has uſualy been made one of ye laſt acts of an Aſſembly, and been alwaies done after a general concurrence in all precedent matters.

And this houſe being very ſenſible of yr Excellencies power and authority to convene, adjourne, prorogue or diſſolve Aſſemblies, as it ſhall ſeem moſt convenient to yr Excellencies diſcretion & wiſdome, muſt, as it is their duty, att all times ſubmit to yr Excellencies pleaſure therein.

Nor was It ever ye intention of this houſe by long ſitting to advance ye Levy beyond a parrallel, ſeveral former Aſſemblies have been of longer continuance, and conſequently of greater charge, and It was fully hoped, that this preſent ſeſſion would have ſooner ended, had ye Bills drawn, preſented and aſſented to by yr Excellency and ye Honble Councel received noe unuſual obſtacle by yr late meſſages to this houſe.

May It pleaſe yr Excellency ye diligence, care and abilities of our Clerk have been ſuch, that upon a ſerious inſpection into them, they can not but give him a vindication, and humbly hope a concurrent agreement of yr Excellency and ye Honble Councel in ye allowance of his dutiful and obſervant management, during this whole ſeſſion.

And this houſe doe hope, that ye inconveniences of continuing ye ſoldiers att ye heads of ye rivers can not lye att their doors, for that they have from ye beginning of this ſeſſion continued their frequent ſupplications for their diſbanding & accordingly prepared a bill for ye ſame, to wch yr Excellency and ye Councel have Aſſented.

Aſſented to by ye houſe and ſubſcribed by order of ye houſe of Burgeſſes

Teſt Robert Beverley Cl Affbly

Ordered, yt ye Clerk carry ye following meſſage to ye houſe of Burgeſſes.

By his Excellency,

Mr Speaker.

I am ſorry to find you ſtill ſoe obſtinate, when I made ſoe moderate and reaſonable a propoſal, but to demonſtrate to you and ye whole Countrey, how unwilling I am, that any further charge ſhould lye upon them, I am willing to paſſe all other bills, aſſented to, provided you proportion ye Levy, yt ye Country Creditors may be ſatisfied their

juſt

juſt dues, and that bill ſoe much inſiſted on may as well be preſented to his Majeſty before, as after ſigning, and am confident, his Majeſty will ſignifye his pleaſure ſoe early therein, that it will be noe impediment to ye furtherance of ye Ports; neither had wee mett with any now, had that clauſe concerning fees been inſerted, as it was agreed on, therefore I deſire you once againe to conſider of it to prevent ye inconveniences and charge, wch will otherwiſe happen to ye Countrey, to wch I deſire y^r^ Anſwer.

X^ber^ 12th 1685 *Effingham*

Col. *Tho: Ballard* &c comes into ye Court houſe and delivers ye following meſſage

X^ber^ 12th 1685

By the Houſe of Burgeſſes

To His Excellency Francis *Lord* Howard, *Baron of* Effingham, *his Majeſties Leiuetenant and Govern^r^ Genl of* Virg^a^

In anſwer to y^r^ Excellencies meſſage even now come into this houſe requiring ye immediate anſwer of this houſe, they moſt humbly ſignifye unto y^r^ Excellency, that they are all moſt heartily ſorry, to obſerve therein y^r^ Excellencies unwillingneſſe to ſigne ye Bill for Ports &c already aſſented to, together with ye other Bills and which they have ſoe often and unanimouſly agreed and ſignifyed to y^r^ Excellency, hath thereby received ye force of a Law, from wch they can in noe waies depart, and this houſe doe moſt heartily and readily now ſignifye to y^r^ Excellency, that to eaſe ye great and growing charge to ye Countrey, when & as ſoon as y^r^ Excellency pleaſes to command, they are ready with all ye ſeveral fair engroſſed bills to be read before y^r^ Ex^cy^ ye Councel and this houſe, and doe humbly pray, they may be authenticated together (as ye manner heretofore hath all along been) by y^r^ Excellencies ſuch ſubſcription, this houſe will with all ready diligence cheerfully proceed to what is yet unfiniſhed, that this Seſſion may take end, and they doubt not, but that ye next General Aſſembly will ſettle by Law ſuch fees for officers attending att ye ſeverall Ports, as ſhall be propoſed, and thought fitt by his Majeſty or y^r^ Excellency.

Signed by order of ye houſe of Burgeſſes.

Robert Beverley Clk Aſſembly

Mr *Speaker* and ye houſe of Burgeſſes waite upon his Excellency and ye Councel, in ye Court houſe, upon wch his Excellency expreſſed himſelfe as followes, *viz:*

Gentlemen

Having this morning y^r^ anſwer to my two laſt meſſages, I find therein you ſtill perſiſt in y^r^ opinion, that noe Bill atteſted by ye Clerk of ye General Aſſembly, as aſſented to, can afterwards allow of any alteration, to wch I can not in ye leaſt agree, his Maj^ty^ having intruſted me with his negative voice.

But that I may ſhow you a good example, and make all ye compoſure, that this will admit of, and eaſe ye Countrey of that great charge they labour under by y^r^ long ſitting, and will conſequently be augmented by ye charge att ye heads of ye rivers; I am willing that Bill for Ports, ſhould att this time be laid by, and I will repreſent to his Majeſty ye true ſtate of this difference, and what his Majeſty is pleaſed to ſignifye therein to me, ſhall be faithfully communicated to you; and ſince it will not take effect, as you well obſerve till *September* 1687, his Maj^ties^ pleaſure will long ere that be knowne, therefore I make this my laſt propoſal to you, which if received, wee ſhal part good freinds, if not, you muſt take what will conſequently follow, and let his Majeſty and ye good people of this Colony judge, who are ye obſtinate.

Mr *Speaker* and ye houſe of Burgeſſes return to their houſe; in a ſhort time afterwards Mr *Speaker* and ye houſe of Burgeſſes came againe to ye Court houſe, where his Excellency and ye Councel continued, and Mr *Speaker* comming to ye Bar read as followes

X^ber^ 12th 1685

By ye houſe of Burgeſſes.

Reſolved nemine contradicente.

That this houſe doe forthwith waite upon Mr *Speaker* to his Excellency* and that Mr *Speaker* doe in ye name of this houſe acquaint his Excellency, that they can not depart

* This ſhould be probably—waite with Mr. Speaker upon his Excellency.

depart from their former reſolves ſignifyed to his Excellency about ye Bill for Ports &c nor give their conſent, that ye bill be laid by, as his Excellency propoſes, but withal ſince ye bill can not take effect until ye 20th of *September* 1687, This houſe doe moſt earneſtly pray his Excellency to ſubſcribe, as ye manner is, ye faire engroſſed bill, to ye end it may be ſoe authenticated ſent to his Majeſty, whoſe royal will and pleaſure being known therein, whether to allow or diſallow ye ſame, This houſe doe promoſe in ye name of themſelves and ye Commons of this his Majeſties Dominion, all ready, due and cheerful ſubmiſſion to.

Signed by order of ye houſe of Burgeſſes

Robt Beverley Clk Aſſembly

The Burgeſſes return

His Excellency attended with ye Councel leaves ye Court houſe.

---

*X*ber 13th 1685

HIS Excellency and ye Councel come into ye Court houſe

Ordered yt ye Clerk carry ye following meſſage to ye houſe of Burgeſſes.

By His Excellency.

Mr Speaker.

I am once again come to let you know, that I am ready to ſigne all ye Bills, wch have been concurred withal, unleſſe that bill for Ports, and that to, if that clauſe for fees for ye officers were inſerted, as agreed on, but if not, I am willing, it may be laid by, till his Majeſties pleaſure may be known therein, to which I expect yr immediate anſwer, wch I hope will be according to what I have ſoe often deſired, that ye Countrey may be eaſied of ye great charge of maintaining ye forces att ye heads of ye rivers, and ye Levy proportioned for ye defraying ye charge due to ye Countrey Creditors.

Effingham

*X*ber 13th 1685

To wch anſwer was returned, that they could not depart from their former Reſolves.

Whereupon *It was ordered*, that ye Clerk ſhould goe to ye houſe of Burgeſſes and acquaint Mr *Speaker* that his Excellency commanded his and ye houſe of Burgeſſes attendance on him immediately in ye Court houſe.

Mr *Speaker* and ye Burgeſſes being come, accordingly, his Excellency was pleaſed to expreſſe himſelfe as followes.

Mr Speaker

I doe with great concerne meet you and yr houſe on this occaſion, becauſe I am ſenſible, how great prejudice ye not laying ye Levy will be to ye Inhabitants of this Colony, and It is augmented from ye conſideration, that you Gentlemen, who have hitherto been bleſſed with a ſerene and pleaſant countenance from ye late King of ever bleſſed memory, and from his preſent Majeſty, ſhould now doe any thing, whereby it may be obumbrated & that eſpecialy, Att this juncture, when all perſons, within his Majeſtys Dominions, ſtrive to outvye each other in demonſtrations of duty and Gratitude, for his Majties moſt gracious aſſurances to maintaine our Religion, Lawes, and Properties—for theſe reaſons *Gentlemen* and none other, I have ſoe far conceded to yr deſires, even to my utmoſt power, unleſſe I had perfidiouſly betrayed his Majties truſt to me.

I muſt confeſſe, conſidering yr proceedings and obſtinacies, I doe not now treat you in a Parliamentary way, for that would have been much ſhorter and ſharper, but doe, as it were, parly with you, that you may be convinced of yr errors, wch I hope you will, when you have conſulted with yr Pillowes, wch is ye motive, that I doe not att ye preſent diſſolve you, but only prorogue you, and you are hereby, in his Majties name prorogued till ye 20th of *October* next, unleſſe I ſhall think fit, in the interim, to diſſolve you, or convene you ſooner by my Proclamation.

A True Copy

Nicho: Spencer.

ATT A

GENERALL ASSEMBLY

Begun att *James Citty* ye firſt day of *October* 1685, And in ye firſt yeare of ye Reigne of Our Soveraigne Lord King *James* the Second of *England, Scotland, ffrance, Ireland,* and *Virginia* Defender of the ffaith &c. And thence Prorogued by two Prorogations to ye Twentieth of *October* 1686.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1407, pp. 341-382.]

Att a Generall Aſſembly Begun att *James Citty* ye firſt day of *October* 1685, And in ye firſt yeare of ye Reigne of Our Soveraigne Lord King *James* the Second of *England, Scotland, ffrance, Ireland,* and *Virginia* Defender of the ffaith &c. And thence Prorogued by two Prorogations to ye Twentieth of *October* 1686.

20 *Oct:*

HIS Excellency and the Councell being mett, the Clerk of the Generall Aſſembly, was Ordered to goe to the Houſe of Burgeſſes, to ſee whether their houſe was full, that his Excellency might Send for them.

The Clerk returnes with anſwer, that as yet Severall Burgeſſes are wanting

Octobr 21th 1686.

ORDERED that the Clerk of the General Aſſembly goe to ye houſe of Burgeſſes, and acquaint them, that it is his Excellencies pleaſure, that they forthwith waite on him.

The Burgeſſes waite on his Excellency and ye Councell in the Court houſe.

The Burgeſſes being Soe Come, his Excellency acquainted them, that he finds their Speaker abſent, and therefore deſires to know what is become of him, to wch the Burgeſſes made anſwer, that Since their laſt meeting they were unhappy in ye death of their Speaker, his Excellency then Comanded them to proceed to ye Election of a new Speaker

The Burgeſſes withdraw themſelves, and ſoon after returne, and preſent Majr *Arthur Allen* for their Speaker, who haveing firſt Endeavoured to be Excuſed, and Begged ye uſuall petitions, was Confirmed by his Excellency.

His Excellencies Speech to ye Aſſembly

Gentlemen

I am glad to meet you here againe . . . [See J. of H. of B. 1659/60-93, p. 262.]

Octobr ye 25th 1686.

SOME of the Burgeſſes wait upon his Excellency and acquaint him, that Since their laſt Meeting, ſeverall of their houſe are removed by death, and Otherwaiſe made incapable of ſerving, they therefore deſire, yt Councell may be Aſſigned to Swear their new Elected Members.

His Excellency therupon Comiſſionated Coll *John Page*, and Coll *John Lear* two of ye Councell, under ye Seale, to Adminiſter the uſuall Oathes to ye New Elected Members.

Novembr ye 2d 1686

SOME Members of ye houſe of Burgeſſes preſent the foll: Meſſages;

To his Excellency ffrancis *Lord* Howard *Baron of* Effingham *his Majtys Leivt and Govr Genll of* Virginia.

The Houſe of Burgeſſes now Aſſembled

Humbly preſent

That ye Seale firſt moſt graciouſly granted . . [See J. of H. of B., pp. 267-268.]

To

To his Excellency ffrancis *Lord* Howard *Baron of* Effingham, *his Majᵗⁱᵉˢ Leivᵗ and Govʳ Genˡˡ of* Virginia, *and to yᵉ Honʳᵇˡᵉ Councell of State*

The Houſe of Burgeſſes humbly preſent on Behalfe of themſelves, and yᵉ whole Country the foll: Articles of Charge agᵗ Lᵗ Coll William ffitzhugh *of* Stafford *County.*

That in yᵉ yeare 1682, Att An Aſſembly begun att *James Citty* yᵉ tenth day of *Novembʳ*, there was leavyed in yᵉ Publique leavy, and aſſeſſed upon *Stafford* County, thirty two Thouſand nine hundred and thirty pounds of tobacco, payable to Mʳ *Wᵐ ffitzhugh*, and Mʳ *George Brent*, in wᶜʰ Sum̃ Cask for yᵉ ſᵈ Tobaccos was raiſed, and included, and over and beſides wᶜʰ Sum̃ Three Thouſand two hundred Ninety three pounds of tobacco, was Leavyed for Sallary of Receiving the ſᵈ Tobaccoes, wᶜʰ makes together Thirty ſix Thouſand two hundred twenty three pds of Tobacco, Notwithſtanding wᶜʰ, yᵉ ſᵈ Lᵗ Coll *Wᵐ ffitzhugh* who was then one of yᵉ Burgeſſes for *Stafford* County aforeſd, att a County Court held the 3ᵈ of *January* 1682, att the laying of that County Leavy, by Cunning Inſinuations, and falſe Suggeſtions to yᵉ Court, Concealing yᵉ Authentick Coppy of yᵉ Publique Leavy, and aſſuring them, that neither Cask, nor Sallery was Raiſed by yᵉ Publique, for yᵉ ſd Thirty ſix Thouſand two hundred twenty three pds of Tobacco, and the ſd Juſtices giving full Credit, and belief to him yᵉ ſd Lᵗ Coll *Wᵐ ffitzhugh*, as yᵉ Repreſentative of yᵉ County, did in their County Leavy, raiſe a new Six Thouſand five hundred and twenty pds of tobacco for Cask and Sallary of yᵉ ſd Thirty ſix Thouſand two hundred twenty three pds of tobacco, to yᵉ great wrong & Damage of yᵉ Inhabitants of yᵉ ſᵈ County, wᶜʰ being Complained of as a Grievance to yᵉ houſe of Burgeſſes, the laſt Meeting of this Aſſembly, and Still Continued; This houſe haue therefore brought this Charge agᵗ yᵉ ſᵈ Lᵗ Coll *Wᵐ ffitzhugh* humbly moveing, yᵗ yᵉ ſd Lᵗ Coll *Wᵐ ffitzhugh* may be forthwith Ordered to refund the ſᵈ Tobacco to yᵉ County, and Such ffines, Amerciamᵗˢ and other puniſhments may be inflicted upon him, for Such his illegall, unjuſt, and Oppreſſive action, as yᵉ Merit of his Crime doth deſerve, to yᵉ End alſo, Others may thereby be deterred from yᵉ like Evill practiſes for yᵉ time to Come.

ffurther this houſe of Burgeſſes Preſent to yoʳ Exᶜʸ yᵗ whereas by divers Statutes, It is Enacted, that yᵉ Knights of Counties unduely returned, ſhall looſe their Wages, yet yᵉ ſd Coll *ffitzhugh*, Notwithſtanding he was unduely returned a Burgeſs, to yᵉ former Meeting, of this Aſſembly, and for yᵗ reaſon diſmiſſed from yᵉ ſd place by yᵉ houſe of Burgeſſes, upon due and full proof of yᵉ matter, did att A County Court held yᵉ 16ᵗʰ day of *Decembʳ* laſt paſt, in Contempt of yᵉ ſd Lawes, by his Subtile Inſinuations, and Evill practices, procure a Tax of ffour Thouſand pds of tobacco and Cask, to be Impoſed and Levyed upon the Inhabitants of *Stafford* County, as Sallary, for himſelfe as a Burgeſs of this Aſſembly, wᶜʰ was as a further demonſtracon of yᵉ Oppreſſive, unjuſt, and illegall practices of him yᵉ ſd Coll *ffitzhugh*, being by yᵉ Inhabitants of that County Complained of to this Aſſembly, is likewiſe humbly preſented and Submitted to yoʳ Excellencies, and yᵉ Honʳᵇˡᵉ Councells moſt tender Conſideration

Novembʳ 2ᵈ 1686

Teſt Robᵗ Beverley Cl Aſſᵇˡʸ

To his Excellency ffrancis *Lord* Howard *Baron of* Effingham *his Majᵗⁱᵉˢ Leivᵗ and Govʳ Genˡˡ of* Virginia

The Houſe of Burgeſſes now Aſſembled att James Citty

Humbly preſent

That for many yeares before yᵉ happy . . . . . [See J. of H. of B., p 267.]

9ᵇʳ 3ᵈ 1686

MR *Chriſtopher Robinſon* &c bring yᵉ foll papers.

To his Excellency ffrancis *Lord* Howard *Baron of* Effingham *his Majᵗⁱᵉˢ Lᵗ and Govʳ Genˡˡ of* Virgᵃ

The Houſe of Burgeſſes now Aſſembled at James Citty

Humbly preſent

That whereas ſeverall Propoſitions, have . . . . . [See J. of H. of B., p. 267.]

The

The following Bills were preſented *Viz*t

1 A Bill Declareing ye 107th Act of Aſſembly made ye 23^d^ day of *March* 1661/2 To be in force.

2 A Bill Repealing y^e^ ſeventh Act of Aſſembly made at *James Citty* ye 16th of *Aprill* 1684.

3 A Bill Prohibiting County Courts to make By-Laws

The Councells Anſwer, to ye above Bills

To ye firſt,

This Bill is agreed to, Excepting the Reſtriction of not planting tobacco after ye laſt of *June*, wch is thought fitt to be Extended to ye tenth of *July*, according to a former Law, in this Caſe made, and provided.

And it being the great Concerne, and Care, to keep up ye Comodity of tobacco, It is thought fitt, that to this Act be added a Clauſe, providing ag^t^ y^e^ ſhipping of Tobacco Stalks, from wch the ye Leafe is Stript, wch ſome have Directions out of *England* to doe, whereby to Defraud his Maj^ty^ of his Cuſtoms, and to keep under foot our Manufacture Tobacco; It is therefore thought fitt that this be reſtrained, by Impoſeing a Severe fine upon ye Offender.

To y^e^ ſecond

This Bill is Agreed to, *Provided*, in a Clauſe of ye Act of Repeale of this Law, there be a Clauſe inſerted, that in Caſe ye Govr in any Exigency for ye Safety of ye Country, with ye Advice of ye Councell, ſhall think fitt to raiſe fforces, that thoſe fforces be paid by ye Country ℔ *Diem*, att the Rate now Eſtabliſhed by Law.

To ye third

The Proviſo of this Act leaves ye Juſtices of Every County Court *ad Libitum*, in Charging the People of their Counties, thô it was not thought fitt att a former Meeting of ye Aſſembly, that a Law ſhould paſs to Impower the Govr and Councell For ye Eaſe of ye Country, to lay a Leavy upon ye People not exceeding twenty pounds of tobacco ℔ pole, though Directed ſo to doe by his Maj^ty^, but y^t^ Such Methods may be purſued for ye Diſcharge of ye County Charges; *It's Agreed*, that there be a Clauſe in this Act, Impowering the Juſtices of ye County Courts to aſſeſs upon the Inhabitants of their Reſpective Counties, for the Defraying and Diſcharging all neceſſary Charges Eſtabliſhed by Law, & alſoe for Other neceſſary uſes of ye County, when for ye uſe of the County they find it neceſſary, not Exceeding ten pounds of tobacco ℔ pole, and for ye better Satisfaction of all perſons Concerned;

It is propoſed, that the Liſt of Tythables be filed up att ye Court door, ye day of ye laying ye Leavy, and y^t^ likewiſe every Article of ye Leavy be there filed, that every perſon may haue a Publique view of it, if they deſire: *It's alſo propoſed* that a Coppy of ye Liſt of Tythables, and Leavy ſoe laid, be by ye Clerk of Every County Court tranſmitted into ye Secretaries Office Annually, on ye third day of *Aprill* Court, to ye Intent, ye Secretary may preſent the Same to ye Govr and Councell, for their Examination, and Conſideration; for wch Service it's thought fitt, that there be a Suitable allowance appointed this Aſſembly, for ye Clerks paines, and Care therein, the Proviſo in ye Act being thus amended, this Act is Agreed to.

The foll Meſſage is Sent to ye houſe of Burgeſſes

*Gent^n^*

I haue reĉed yor Propoſiĉon relateing to . . . . . [See J. of H. of B., p. 272.]

Propoſitions Methodizing and fforming ye Militia of ye Country, as neer as ye Conſtitution of this Governm^t^ will beare to ye Kingdom of *England*, both for horſe and ffoot.

ffirſt *It is propoſed*; that Such a Number of Horſe & ffoot be raiſed in each County, as a Standing Militia therof according to ye Propoſition [proportion] of Tythables in y^e^ ſaid Counties.

*2dly* That upon Every fifteen Tythables be aſſeſſed the finding a Man with an able Horſe, well accoutred with Saddle, Bridle, Breſtplate, Crupper, Carbine, Piſtoll, and Sword.

*3dly*

3dly That in each Reſpective County, where it ſhall be thought fitt y^{t} ffoot be raiſed, as well as Horſe, y^{t} in thoſe Counties every two Tythables, who are not aſſeſſed to find an Horſe, find an able foot Soldier, well provided with good Muskett, Bandyleers, and Belt.

4^{thly} That every Troopers pay, be upon every day of Muſter fifteen p^{ds} of tobacco, or One ſhilling & Six pence, to be paid by him or them, upon whom ye finding an Horſe and Man with ffurniture ſhall be Aſſeſſed, and for Every ffootmans pay, upon Every day of Muſter ten pds of tobacco, or One ſhilling, to be paid by ye two who ſhall be aſſeſſed to find a Man, and in Caſe any Troops of Horſe or ffoot Company, for his Maj^{ties} ſervice, or ye Defence of ye Country, ſhall be Required to be in Actuall Service more then four dayes, they ſhall then be paid Each Trooper att ye Rate of ffifteen p^{ds} of Tobacco, or One ſhilling and Six pence, and Each ffoot Soldier, att ten pds of tobacco, or One ſhilling ꝑ ye Country, and to ye Intent that Officers, may be as well Encouraged in y^{e} ꝑformance of their Duties, as Comon Soldiers, *It is propoſed*, That a Capt of a Troop of Horſe, while he is in actuall ſervice, Muſter, or Exerciſe, be paid one hundred p^{ds} of Tobacco ꝑ *diem*, a Leiv^{t} of Horſe ſixty ꝑ *diem*, a Cornet, ffifty pds of tobacco, and a Corporall thirty pds of tobacco ꝑ *diem*, And a Capt of ffoot Eighty, a L^{t} of ffoot fifty, an Enſigne forty, and a Serjant twenty pds of tobacco; *It is alſo propoſed*, that his Maj^{ties} Juſtices of ye peace of each County, not bearing Comand, be Excuſed from ſerving in their perſons, and y^{t} noe perſon, or Horſe once liſted, Either in ye Horſe or ffoot, be Changed or Deſert ye Service, without his Comand^{rs} leaue, and if any Comon Soldier, or Officer of Horſe, or ffoot, ſhall omitt the ꝑformance of their Duty, they ſhall be ffined for Such their Offence One hundred pds of tobacco to ye uſe of his Maj^{ty}, towards ye buying of Trumpetts, Colours, Drums, and Other neceſſary Trophies of Warr, and y^{t} each Troop of Horſe, Conſiſt of at leaſt forty Eight men, beſides Officers, and every ffoot Company, of at leaſt ſixty Men, beſides Officers, And *it is propoſed*, that ye Aſſeſſm^{ts} be made as hereafter foll *Viz^{t}*

Henrico—	1 Troop of Horſe.
Charles Citty—	one Troop of Horſe of 48 men, at leaſt, beſides Officers, One Comp^{a} of ffoot of 60 at leaſt beſides Officers,
Surry—	One Troop of Horſe.
Iſle of Wight—	One Troop of Horſe, one Comp^{a} of ffoot.
Nanzemond—	One Troop of Horſe, one Comp^{a} of ffoot.
Low^{r} Norfolk—	One Troop of Horſe, one Comp^{a} of ffoot.
Eliz^{a} & Warwick	One Troop of Horſe, & one Comp^{a} of ffoot between them.
James Citty,—	One Troop of Horſe, one Comp^{a} of ffoot.
York.—	One Troop of Horſe, One Comp^{a} of ffoot.
New Kent	On ye South, One Troop of horſe, one Comp^{a} of foot. On ye North, One Troop of horſe, one Comp^{a} of foot In *Pomunky Neck*, one Comp^{a} of ffoot.
Gloceſter—	Two Troopes, and two Companies.
Middleſex—	One Troop
Lancaſter—	Two Companies, one of each ſide of *Currotomon*
Northumberland—	One Troop, One Company.
Rappahanock—	One Troop on each ſide.
Northampton *Accomack*	One Troop One Troop } One Comp^{a} between them.
Weſtmorland—	One Troop—one Comp^{a}
Stafford—	One Troop.

The Horſe and ffoot ſoe to be raiſed, to be aſſeſſed by One of ye Councell, and three firſt of ye Comiſſion of ye peace of each County, according to ye Number of Tythables. 9^{br} 3^{d} 1686.

E. Chilton Cl Gen^{ll} Aſſ^{bly}

9^{br}

9br ye 4th 1686.

THE foll: Meſſages are Preſented by Some of ye Burgeſſes.

To his Excellency ffrancis *Lord* Howard *Baron of* Effingham *his Majties Lt and Govr Genll* of Virga

The Houſe of Burgeſſes now Aſſembled

Humbly Preſent

That they Willingly acknowledge his Majtiee . . . [See J. of H. of B., p. 270.]

By ye Houſe of Burgeſſes.

To His Excellency and ye Councell

Upon Reading ſeverall Bills tranſmitted from . . [See J. of H. of B., pp. 271-272.]

To his Excy ffrancis *Lord* Howard *Baron of* Effingham *his Majties Lt and Govr Genll of* Virga

The Houſe of Burgeſſes now Aſſembled

Humbly preſent

That Whereas yor Excellency has been pleaſed . . [See J. of H. of B., p. 270.]

Ordered that ye Clerk Carry ye foll Meſſages [meſſage] to ye houſe of Burgeſſes *Mr* Speaker *and Gentn: of ye houſe of Burgeſſes.*

His Excellency and Councell this day recēd a . . [See J. of H. of B., pp. 272-273.]

9br ye 5th 1686

COLL *John Weſt* &c. brought ye foll: Acts: *Viz*t

1ſt *An Act about Runawaies.*

2d *An Act Appointing Certaine dayes for* Accomack *Court to be held on.*

3d *An Act that ye twelueth Act of Aſſembly made at* James Citty *ye tenth day of* Novembr *1682, Entituled* An Act for ye Advancemt of Manufactures of the Growth of this Country, and for ye better, and more Speedy payment of Debts and Leavyes *be Revived, and that ye ſame doe Continue in force three yeares from ye End of this Seſſions, and after that to ye End of ye next Seſſion of Aſſembly.*

4th *An Act that all Debts Contracted, or to be Contracted in* Maryland, *are, and ſhall be recoverable in* Virga *in equall manner, and by ye ſame lawfull waies and meanes, as thō ye ſame were, or had been Contracted in* Virga *any Law, Statute, or uſage heretofore to ye Contrary Notwithſtanding.*

5th *An Act about ye Tare of Tobacco Cask.*

6th *A Bill* [Act] *about ye Size of Stonehorſes*

The Councells Anſwer to ye above Acts

To ye firſt,

It is Agreed to.

To ye Second

It is Agreed to:

To ye third,

It is Aſſented to.

To ye fourth

It was Agreed to, inſerting ye foll Clauſe; As *Maryland* is ye next adjacent Country on ye North, ſoe *North-Carolina* is on ye South; It is therefore thought Convenient, that Creditrs in *North Carolina* haue ye ſame Juſtice in recovering their Debts here, as *Maryland*, whereby We ſhall Teſtifie a juſt, and ffriendly Correſpondency with Our Neighbouring Countries

To ye fifth.

This was agreed on with this alteration, *with a burnt Mark*, is a more propper Expreſſion, being in Wood, a ſtamp, being peculiar to Mettalls

To ye Sixth

To this was added; This is Conceived to be a neceſſary Act, but are of ye Opinion, that to Expect Horſes of two yeares old, to be of ye Stature of fourteen hands, is of a Growth,

Growth, beyond what can be in ſome yeares Expected, *Its therefore propoſed*, that ye limitation of fourteen hands be Sett at thirteene, untill time ſhall Enlarge ye Breed of Horſes, in ye Country, Since at preſent, there be but few Stonehorſes in ye Country, y^t^ Exceed fourteen hands high. thô they be of full age, and Growth: It is alſo Obſerved that this Bill is not only Improperly Worded in ſome of its tearms, but alſo Incongruous in ſome of its ſentences; wch being Conſidered, and more aptly Worded, It will be agreed to.

E. Chilton Cl Gen^ll^ Aſſ^bly^

9^br^ ye 8th 1686

By his Excellency. 9^br^ ye 8th 1686

MR Speaker *and Gent^n^*

As to yor Addreſs concerning the Quittrents . . . . [See J. of H. of B., pp. 273-274.]

9^br^ ye 8th 1686

By his Excellency.

*M^r^* Speaker *and Gent^n^:*

I have receed from you an Addreſs . . . . . [See J. of H. of B., p. 274.]

His Maj^ties^ 27th Inſtruction . . . . . [See J. of H. of B., p. 274.]

9^br^ ye 8th 1686

Upon Conſideration of ye Report made by ye Coñittee of Claimes, the Councell haue thought fitt, to make ye foll: alterations, *Viz^t^* as on ye other ſide.

9^br^ ye 8th 1686

By his Majeſties Councell

The Councell haue thought fitt to appoint, and doe hereby appoint Coll *Richard Lee*, Coll *John Page*, Coll *John Lear*, and Coll *Chriſtopher Wormeley*, four of his Maj^ties^ Councell of this Colony, to Manage ye Conference deſired by ye houſe of Burgeſſes, with Such as they ſhall appoint of their houſe, about five of ye Clock in ye afternoon in Coll *Byrd*'s Chamber

E. Chilton Cl Gen^ll^ Aſſ^bly^

The Claimes are brought by ſome Members of ye houſe of Burgeſſes.

As to ye Claime of Coll *Iſaac Allerton* Sheriff of *Weſtmoreland* County in ye Article of ſeven hundred forty Eight pds of Tobacco, It was for y^e^ ſervice of ye Governm^t^ for ye paſſing and repaſſing of Coll *Lee* One of his Maj^ties^ Councell of this Collony, by Order of his Ex^cy^ and Councell, for ye Demanding ye perſon of Coll *George Talbott*, with a ſuitable attendance to His Perſon, and Coll *Talbott* being noe Inhabitant, of this Collony, and haueing no Eſtate, wch if he had, noe Priſoner is lyable to pay more, then ye ffees of his Impriſonm^t^, It is therefore thought fitt, that it be paid by ye Publick.

As to ye Claime made by y^e^ ſheriff of *Weſtmoreland* County, for One thouſand Eight hundred pds of tobacco, and Cask for a Horſe loſt, for ye Conveying of an Evidence ag^t^ *Peter Reyly*, is not at preſent allowed, becauſe not proved according to Law, wch was Impoſſible to haue been done, the horſe being Loſt upon his Journey to Town, and it being ready to be made appeare, by ye Criminall himſelfe, who was acquitted, We Deſire that it may be allowed.

The Claime of Capt *Henry Duke* of twelue Thouſand nine hundred ninety fiue pds of tobacco, being reduced by yor houſe to four hundred ſeventy ſix pds of tobacco, is looked upon, to be a great diſincouragem^t^ to him for y^e^ ſervices, wch he has well p̄formed, and very Diſproportionable to ye allowances propoſed to be made to Capt *Hartwell*, at ye laſt meeting, it is unuſuall to make Reſolves of not allowing for Services done, the Reſolve may be good for ye future, but cañot be binding to paſt times; *It is therefore Propoſed*, that Capt *Duke*'s may be allowed, proportionable to Capt *Hartwells* allowance, or Capt *Hartwells* Claime reduced proportionable to Capt *Dukes*.

Edward

Edward Chilton was allowed by yor houſe att yor laſt meeting for Extraordinary Services p̄formed, as ye Clerk of ye Secretaries Office, the Sum̄ of Nine Thouſand one hundred Ninety ſix pds of Tobacco and Cask, as by ye Report of yor Com̄ittee of Claimes appeares, his account now Exceeds ye Sum̄ of ſeventeen Thouſand pds of Tobacco and Cask, and moderately Rated, if you agree not to allow that Sum̄ being juſtly due, yet let his allowance be equall to ye laſt, wch was the leaſt he ever yet had;

We find ye Claime made by Coll *Lyddall* of *New Kent*, for Severall well performed Services, and Diſburſments, made, when ye *Seneca* Indians lay upon the ffrontiers of that County, wch has formerly been ſoe much inſiſted on now againe by yor houſe rejected, to Our Admiration, if any Regard had been made to ye time, Diſburſments, & ſervices and what ye fatall Conſequences might haue been, if yt method had not been Obſerved; *It's therefore Earneſtly propoſed*, that this Claime may be ſeriouſly Conſidered, and Suitable Satisfaction made, that it be noe diſcouragmt for ye future, for ye Comandr in Chiefe, to give Order, for ye Security of ye Country upon any Emergency, nor to thoſe, to whom thoſe Orders are Directed to be Executed.

E: Chilton Cl Genll Aſſbly

9br ye 8th 1686.

Coll *Smith* &c brings ye foll Acts

1 *An Act about Ports.*

2 *An Act Reſtraining Striking and Killing of ffiſh. att unuſuall times.*

To wch ye Councell anſwered.

To ye firſt

Upon Reading and Conſidering this Bill, We find it to be ye ſame in Effect, with ye Bill prepared att ye laſt Meeting of ye Aſſembly, being Senſible that it was ye laſt yeare tranſmitted to his Majty for his Royall Conſideration, We humbly applyed unto his Excellency, begging to be Informed whether his Excy had reced ye Reſult of his Majties pleaſure therein, in wch his Excy has been pleaſed to aſſure Us, that as yet, his Majty hath not been pleaſed to Signifie his Com̄ands therein, but was Adviſed, that as ſoon as his Majty with ye Court, ſettled to ye Conſideracon of Buſineſſes att *Whitehall*, Meaſure would be taken therein, and his Excy accordingly Directed. We are therefore of Opinion that untill ye Kings Majties pleaſure be known therein, it will not be fitt to Reſolve any thing in this Bill of Ports, but that it reſt untill Our next meeting.

To ye Second

This Act is Agreed to.

An Act Eaſing ye Country of ye Charges of apprehending Proſecuting, and Executing of Criminalls.

We have fully Conſidered this Act, In wch as We are of ye Opinion, that it is a neceſſary Law, to be taken under Conſideracon Soe likewiſe are of Opinion, that it cannot be well Setled in this mañer, untill ye Lawes are Reviſed, for yt it Strikes att ye foundation of ſoe many Lawes, that it is not known what Confuſion it may introduce, but when the Lawes are Reviſed, and a Bill by ye Succeeding Aſſbly prepared, appropriating all ffines and ffforfeitures to his Majty to ye uſe of ye Governmt to, and for ye Defraying the Charges thereof, We ſhall then readily agree, that the Charge in apprehending, proſecuting, & Executing Criminalls, be borne and Defrayed out of ye ffines, and ffforfeitures, ſoe far as they will Extend to p̄forme it, And whereas you move that his Majties Revenues may likewiſe goe, towards ye Defraying of ye Charge of Criminalls his Majty hath thought fitt, from time to time to Direct ye Diſpoſall thereof, ſoe that neither We nor you, haue any power to Direct therein

The Clerk by Order Carryes ye foll: Meſſages to ye houſe of Burgeſſes

Mr Speaker *and Gentn:*

By a twelve months Conſideration, I did not . . . . . [See J. of H. of B., pp. 277-278.]

Mr Speaker *and Gentn.*

I haue reced from yor houſe this Meeting . . . . . [See J. of H. of B., pp. 276-277.]

9br

9br ye 9th 1686

SOME Burgeſſes Come, and preſent the foll Meſſage.
By the Houſe of Burgeſſes
In anſwer to ye Returnes made by ye Honrble . . [See J. of H. of B., p. 275.]
The Clerk Carries ye foll: Meſſage
Mr Speaker *and Gentn:*
We haue diligently Conſidered yor returnes . . . . . [See J. of H. of B., p. 279.]

9br ye 11th 1686

COLL *John Weſt* &c preſents ye foll: Paper.
By the Houſe of Burgeſſes.
May it pleaſe yor Excy
This Houſe haueing in Conſideration yor . . [See J. of H. of B., p. 278.]

The Houſe of Burgeſſes by Comand of his Excellency Attend his Excellency and Councell in ye Court houſe, att which time his Excy Expreſſed himſelf as foll:
Mr Speaker *and Gentn:*

ffinding matters in a forwardneſs towards a Concluſion, (and I hope a happy one) of this Seſſions, and having done what lyes in Me, towards that good End, by my ready Conceſſions, and favourable Conſtructions, and anſwers to yor Deſires, cannot but let you know, I wonder that there hath not been as yet, any thing Offered by you, in Order to ye Continuance of ye Act of three pence ℔ Gallon on Liquors, as I acquainted you before, ſoe I doe now queſtion not yor Concurrence therein, Since the Benefit to ye Country is ſoe apparent, without ye leaſt diſadvantage to any ℔ticular Intereſt; and likewiſe that I find nothing towards ye ſettlmt of his Majties Militia of this Collony, Eſpecially Since you deſired yt I would propoſe ſome Meaſures to you for yor better Direction, wch haue been ſent you long Since from ye Councell; yor Care & Duty herein, I can aſſure you, will be very pleaſing to his Majty, and it cannot Come within my thoughts, that you will haue none, of ſoe neceſſary a Work, for ye King and Countries Service, Eſpecially ſince I underſtand, that you haue refuſed to Engage for ye payment of any fforces, ſhould I with ye Advice of ye Councell, upon Emergency raiſe any, for the ſafety of the Country, wch now I ſhall be very backward to doe, finding they muſt be Satisfied out of my own Revenue, if I ſhould, from ye Example you haue made Mr Secretary *Spencer* in that Caſe;

One thing more *Gentn:* I haue to acquaint you with that his Majty hath Succeſſively in his Comands to Me Ordered, that the tedious Seſſions of Aſſemblies be Regulated by Me, of wch I hope you will take Notice, as well as my Selfe.

9br ye 12th 1686

MR *Chriſtopher Robinſon* &c brings ye foll Meſſage
By the Houſe of Burgeſſes.
May it pleaſe yr Excellency
This Houſe haueing lately Addreſſed yor . . [See J. of H. of B., p. 280.]
The Clerk Carries ye foll: Meſſage.

Novembr ye 12th 1686.

Mr Speaker *and Gentn:*
His Majties Inſtructions Repealing ye Repealed . . [See J. of H. of B., p. 280.]
Mr *Chriſtopher Robinſon* &c Preſents ye foll Meſſage
To his Excellency ffrancis *Lord* Howard *Baron of* Effingham *his Majties Lt and Govr Genll of* Virga
The Houſe of Burgeſſes now Aſſembled
Humbly Preſent

That upon Reading, and ſeriouſly Conſidering yor Excies anſwer to their Addreſs, about ye ffee demanded for affixing ye Seale of this Collony, to all Inſtruments they Obſerve

Obſerve that yor Lordſhip is pleaſed to ſay, that it is Preſidentiall in all Parts of his Maj^ties^ Dominions, and here only Differenced in the meanneſs of ye ffee, to what is paid in all Other parts of his Maj^ties^ Plantations, to wch We in all humility take leave to anſwer; That althô We are unacquainted with the Lawes and practices of ye reſt of his Maj^ties^ Plantations, & Dominions, We are well Aſſured that both they, and all his Maj^ties^ Subjects of this his Dominion, haue ſuch a Right to, and Inheritance in the Lawes of his Maj^ties^ Kingdom of *England*, and ye Liberties, and Priviledges Granted to his Maj^ties^ Subjects of that Kingdom, from whom they are deſcended, that noe payment by ye name of any ffee, Duty, or Other Impoſition, can, or may be Demanded, Leavyed, or Raiſed upon Us, but by, and with Our Own Conſent, and yor Ex^cy^ takeing Notice, that whereas this Houſe haue moved in their ſd Addreſs, that the ſame hath not been Required before ye time of yor Ex^cies^ Government, (wch We hope will Continue over Us) and that None of yor Hon^rble^ Predeceſſ^rs^ had the like reaſon of Demanding it, as yor Ex^cy^ hath by yor Comiçon, (unleſs the Lord *Culpeper*) wch Impowers, and Directs yor Lordſhip to keep, and uſe the Seale, and y^t^ ye affixing the ſame to all Inſtruments, being ſoe neceſſary to make the ſame Authentick, it cannot be Expected that yor Excellency Should paſs by the Moderate profitts of that part of yor place of Govr, and Otherwiſe then what ſhall be moderate, and juſt, yor Lordſhip will never Offer at.

This Houſe haueing with hearts full of Loyalty, and dutyfull Obedience to Our Gracious Soveraigne (whom God Preſerve) and that Difference, and Reſpect, that is due to yor Ex^cy^ duely Weighed and Conſidered the Same, not out of any undutifull humour of diſputing any Lawfull Comand, but out of a tender Sence they haue, of how fatall Conſequence it might be, to all his Maj^ties^ Loyall Subjects, of this his moſt Ancient Collony, and Dominion of *Virg^a^* if it ſhould be in the Power of ye Govr thereof, for ye time being, to Demand, and Receive any Sum or Sums of money or Tobacco, under any Colour or pretence whatſoever, Except the ſame be Conſented to by ye Gen^ll^ Aſſembly, and by their Authority Eſtabliſhed.

And therefore Once againe, in the name of Our Selues, and all his Maj^ties^ Subjects of this his Dominion, doe humbly Intreat yor Ex^cy^ to giue Strict Order, that noe ffee be Demanded or taken, for affixing the Seale to any Inſtrum^ts^ but ſuch as either is, or ſhall be appointed by Law.

*9^br^* ye 11th 1686

Signed by Order of ye Houſe

Arthur Allen Speaker

The Clerk Carries ye foll: Meſſages

By his Excellency

As to yor Addreſs . . . . . [See J. of H. of B., p. 280.]

---

*9^br^* ye 13th 1686

MR Speaker, *and Gentl^n^:*

Upon a Serious Conſideration . . . . . [See J. of H. of B., p. 281.]

His Excellency Sent to ye Houſe, being in ye Court houſe, to acquaint them, that he is ready to paſs thoſe Bills.

Agreed to by ye Councell

Mr *Speaker* and the Houſe wait upon his Excellency and Councell

Theſe following Lawes are Read, and Signed by his Excellency and Mr *Speaker*. *Viz^t^*

1 *An Additional Act about Runawaies.*

2 *An Act Declareing* Maryland *and* North Carolina *Debts Pleadable.*

3 *An Act Reviveing the Act Entituled* An Act for ye Advancement of Manufactures of the growth of this Country.

4 *An Act Repealing ye 17th Act of Aſſembly made ye Eighth of* June *1680.*

5 *An Act Aſcertaining dayes for Courts In* Accomack *County.*

6 *An Act Regulating the Tare of Tobacco Hogſheads*

7 *An Act Declareing the 107th Act of Affembly made ye 23^d day of* March *1661/2 to be in fforce*

8. *An Act for ye better Improveing the Breed of Horfes.*

Mr *Chriftopher Robinfon* brings ye foll: Meffage

9^br ye 12th 1686

By the Houfe of Burgeffes

Upon Reading Certaine Propofitions for Methodizing and fforming the Militia, *Refolved* Unanimoufly by the Houfe, That the fame Cannot be putt in practice, without bringing an infupportable Charge upon the Inhabitants of this Country, This Houfe Conceiving ye Lawes already made, doe Sufficiently provide, (according to ye Abilities of this Country) for ye fafety thereof, And for fforming and Methodizing the Militia, This Houfe Conceives it propperly belongs to his Excellency as his Maj^ties Leiv^t and Govr of this his Maj^ties Dominion.

Teft Robert Beverley Cl Aff^bly^

9^br 15th 1686

*M*R Speaker *and Gentn.*

In anfwer to yor laft meffage relateing to Coll *Byrd* for a Gratuity, for his trouble in the *New York* voyage, We well Approved thereof, but what Concernes Mr *Jenings*, We think it too farr fhort, he being Ordered by his Ex^cy as an Affiftant to Coll *Byrd*, and if Coll *Byrd* had failed, was Impowered to take ye full P̄formance of Coll *Byrd*s Inftructions upon him, therefore We propofe that he be allowed twenty five pounds *Sterl.* ye Other being too meane for any Gentn Imployed in foe Signall a Service to accept of.

It is much Admired, that foe little Regard has been had to Coll *Lyddall*s Claime; It is therefore againe Recomended to yor houfe; We defire that it may be Confidered and allowed, Otherwife the Gentn that has been att great Expence, in Expectation of ye Recovery thereof, muft fink under that Burthen, and future Govern^rs difcouraged from iffuing the like Orders, upon any Emergency.

In ye P̄ufall of yor Claimes We find noe mention made, of any allowance made to Mr *Sherwood* for ye Councell Chamber. We therefore Defire that it may be Confidered, and Orders taken for his Satisfaction, according to ye Agreement Between us att yor laft meeting.

Thefe Amendments being Agreed to by you, all the reft of y^r Claimes are allowed of

By the Councells Comand

9^br ye 15th 1686 *E: Chilton* Cl Gen^ll Aff^bly^

Capt *Wm Randalph* &c. brings ye foll: Bills, *Viz^t*

1. A Bill Continuing the Impofic̄on on Liquors

2. A Bill Directing how Publique Claimes fhall be Certified for allowance.

The Councells anfwer

To ye firft, This Bill is Agreed to.

To ye fecond. This Bill is Agreed to, Provided ye Sheriff of *James Citty* County, who is at foe much greater Charge and trouble, then any Other, by his indifpenfible Attendance, with himfelfe and Officers, three Weeks, at each Gen^ll Court; We therefore *Propofe*, that he may be afcertained Ten Thoufand pds of tobacco and Cask Annually by the Publique.

E: Chilton Cl Gen^ll Aff^bly^

Mr Speaker *and Gentn:*

We fully Agree to ye Claimes Agreed on by yor Houfe upon P̄ufall of yor Meffage the laft night reced. We believe it a Miftake when you affirme, the fforming and Methodizing the Militia only belongs to his Excellency, as his Maj^ties L^t and Govr of this

this his Majtie⁸ Dominion, wch fformes and Methods in *England* are Settled by Act of Parliament, and ſoe Ought here by Act of Aſſembly, wch when Once Setled, the Comand Reſides in his Majeſty there, and in his Leivt by his Comicon here;

By Comand of ye Councell

E: Chilton Cl Genll Affbly

9br ye 15th 1686

Ordered that the Clerk of the Genll Affbly goe to ye houſe of Burgeſſes, and Signifie that his Excellency is ready in ye Court houſe to paſs ye remaining Bills, Mr *Speaker* and the Houſe of Burgeſſes wait upon his Excellency and Councell in ye Court houſe.

Where Theſe foll: Lawes being Read, are Signed by his Excellency and Mr *Speaker: Viz*t

An Act Repealing ye Seventh Act of Aſſembly made att James Citty, *the 16th day of* Aprill *1684.*

An Act Continuing the Impoſicon on Liquors.

An Act for Raiſing a Publique Leavy.

His Excellency then Cauſed his Majtie⁸ Letter Concerning the Irregularities of the laſt Meeting of the Aſſembly to be Read, and Ordered it to be Recorded both in the Councell, and Aſſembly Records.

Upon which his Excellency did in his Majtie⁸ Name Diſſolve the Aſſembly.

9br ye 15th 1686.

A True Copy

E Chilton Cl Genl Affbly

121-122

ATT A

GENERALL ASSEMBLY

Begun att *James Citty* the Nineteenth day of *Aprill* 1688, and in the fourth yeare of the Reigne of Our Soveraigne Lord King *James* the ſecond, of *England, Scotland, ffrance, Ireland* and *Virginia,* Defender of the ffaith &c. and thence Prorogued to ye 24th of this Inſtant *Aprill.*

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1407, pp. 427-498.]

Att A Generall Aſſembly Begun att *James Citty* the Nineteenth day of *Aprill* 1688, and in the fourth yeare of the Reigne of Our Soveraigne Lord King *James* the ſecond, of *England, Scotland, ffrance, Ireland* and *Virginia*, Defender of the ffaith &c. and thence Prorogued to ye 24th of this Inſtant *Aprill*.

[*April* 24th 1688.]

Preſent

HIS Excellency, Coll *Nathaniell Bacon*, Coll *William Cole*, Coll *Richard Lee*, Coll *John Cuſtis*, Coll *John Page*, Coll *Wm Byrd*, Coll *John Lear*, Coll *Chriſtopher Wormeley*, Coll *Iſaac Allerton*

The Houſe of Burgeſſes being mett, waite on his Excellency and Councell in the Councell Chamber.

His Excellency Comanded them to Returne to their Houſe, and make Choice of a Speaker.

The Burgeſſes withdraw themſelves, and ſoon after Coll *Edward Hill* with Others waite on his Excellency, and Acquaint him that the Houſe of Burgeſſes had Elected a Speaker.

His Excellency then Comanded that ye whole Houſe of Burgeſſes ſhould Attend him, and ye Councell, in the Councill Chamber.

The Burgeſſes waite on his Ex^cy^ in ye Councell Chamber, the Councell being preſent, and preſent Maj^r^ *Arthur Allen* for their Speaker, who having firſt Endeavoured to be Excuſed, And begged the uſuall petitions of that Houſe, was by his Excellency Confirmed Speaker.

His Excellencies Speech.

*M^r^* Speaker, *and you Gentl*

It is yor Advantage and happyneſs . . . . . [See J. of H. of B., 1659/60-93 pp. 291, 292.]

His Excellency with the Advice and Approbation of the Councell, Appointed and Comiſſionated Capt *ffrancis Page* Clerk of the Houſe of Burgeſſes.

Wedneſday Aprill 25th 1688

MR *Peter Perry* with others waite on his Excellency, and pray that the Aſſembly Records may be Delivered to the Clerk of their Houſe.

His Excellency with ye Advice of ye Councell, Ordered the Clerk of ye Councell, into whoſe Care and Cuſtody the Aſſembly Records were Comitted, after the death of ye late Clerk of ye Houſe of Burgeſſes, for y^e^ ſure preſervation and ſecurity thereof, forthwith to deliver them to Capt *ffrancis Page* Clerk of ye Houſe of Burgeſſes.

Mercury 25th *Aprill* 1688

By the Houſe of Burgeſſes

Maj^r^ *Scarburgh*, M^r^ *Wm Sherwood*, Mr *Peter Perry* & Capt *Lear* Are Appointed in the Name of this Houſe to Addreſs his Excellency, that Councell may be Aſſigned to Adminiſter the uſuall Oaths to the ſeverall Members of this Houſe

Ar: Allen Speaker

Ordered

Ordered that the Clerk of ye Gen^ll^ Aſſembly Carry the foll: Anſwer to ye Houſe of Burgeſſes.

*M^r^* Speaker

I have reĉed an Addreſs . . . . . [See J. of H. of B., pp. 289-90.]

Coll *Richard Lee* and Coll *John Lear* two of ye Councell were by his Excellency Coñiſſionated under ye Seale to Adminiſter the Oaths of Allegeance & Supremacy to thoſe onely who offer to take them, but ye Oath of a Burgeſs of this preſent Aſſembly to all.

Coll *Richard Lee* and Coll *John Lear* two of ye Councell were by his Ex^cy^ Coñiſſionated under the Seale to Adminiſter the foll Oath of Clerk of ye Houſe of Burgeſſes to Capt *ffrancis Page*, who by Comiĉon under y^e^ ſeale was Appointed Clerk.

The Clerks Oath

You ſhall Swear as Clerk of the Houſe of Burgeſſes to which Office you are Appointed by his Ex^cy^ ye Govr, faithfully, Juſtly and uprightly to make true Entries, and Journalls of all votes and proceedings of the f^d^ Aſſembly, as from time to time you ſhall Receive Orders, and Directions from them, and ſhall in all things to yor beſt skill and Judgment, Diſcharge and Execute ye f^d^ Office and Truſt of Clerk of ye Aſſembly.

Soe help you God.

Thurſday Aprill 26th 1688

SOME of the Houſe of Burgeſſes bring the foll Addreſs

By the Houſe of Burgeſſes

*May it pleaſe yor Ex^cy^*

It is Our Unanimous Opinion . . . . . [See J. of H. of B., p. 292.]

You ſhall Sweare . . . . . [See alſo p. 292.]

Ordered that the Clerk of the Gen^ll^ Aſſembly Carry the foll: Anſwer to the Houſe of Burgeſſes

By his Excellency.

*M^r^* Speaker.

By the Meſſage . . . . . [See J. of H. of B., p. 293.]

You ſhall Sweare . . . . . [See alſo p. 293.]

Some of the Houſe of Burgeſſes waite on his Ex^cy^ with an Addreſs for a Coppy of his Ex^cies^ Speech, wch his Ex^cy^ was pleaſed to ſend them

Some of the Houſe of Burgeſſes in the Name of the whole Houſe, returne his Ex^cy^ their moſt humble thanks for the Coppy of his Ex^cies^ Speech, and for his Condeſcention in the Oath of the Clerk of their Houſe.

Veneris Aprill 27. 1688

By the Houſe of Burgeſſes

THIS Houſe being . . . . . [See J. of H. of B., p. 296.]

Ordered that *Wm Edwards* Clerk of ye Gen^ll^ Aſſembly Carry the foll: Anſwer to ye Houſe of Burgeſſes

By his Excellency

*M^r^* Speaker

I have reĉed . . . . . [See J. of H. of B., p. 297.]

May ye firſt 1688

LT COLL *Anthony Lawſon* with three Others waite on his Ex^cy^ and Deſire that Councell may be Aſſigned to Sweare ſuch of their Houſe as are not already Sworne.

His Ex^cy^ thereupon Comiſſionated Coll *John Lear*, & Coll *X^ſto^pher Wormeley* two of ye Councell, under the ſeale to Adminiſter ye Oaths of Allegeance and Supremacy to thoſe only who offer to take them, but ye Oath of a Burgeſs of this preſent Aſſembly

Aſſembly to all ye Members thereof, who have not yet taken ye Same.

Some of ye Houſe of Burgeſſes bring the foll Reſolve.

To his Excellency ffrancis *Lord* Howard *Baron of* Effingham *his Maj^ties^ Leiv^t^ and Govr Gen^ll^ of* Virg^a^.

The Houſe of Burgeſſes now Aſſembled

Preſent

That this Houſe haveing . . . . . [See J. of H. of B., pp. 298-299.]

Ordered that the Clerk of ye Gen^ll^ Aſſembly Carry the foll: Anſwer to ye Reſolve of the Houſe of Burgeſſes, with the Coppy of the Inſtruction therein mentioned to ye Houſe of Burgeſſes.

By his Excellency

*M^r^* Speaker

I this Morning received . . . . . [See J. of H. of B., p. 300.]

Coppy of Inſtruction

In Caſe of Diſtreſs . . . . . [See J. of H. of B., p. 301.]

[*May* y^e^ ſecond.]

SOME of the Houſe of Burgeſſes bring the foll Reply and Addreſſes

*To his Ex^cy^* ffrancis *Lord* Howard *Baron of* Effingham *his Maj^ties^ Leiv^t^ and Govr Gen^ll^ of* Virg^a^

*May it pleaſe yor Ex^cy^*

This Houſe having reĉed . . . . . [See J. of H. of B., p. 302.]

By the Houſe of Burgeſſes.

*May it pleaſe yor Ex^cy^*

This Houſe upon Reading . . . . . [See J. of H. of B., pp. 302-3.]

*To his Ex^cy^* ffrancis *Lord* Howard *Baron of* Effingham *his Maj^ties^ Leiv^t^ and Govr Gen^ll^ of* Virg^a^

The Houſe of Burgeſſes now Aſſembled

Humbly preſent

That the laſt Seſſion . . . . . [See J. of H. of B., pp. 301-2.]

Ordered that the Clerk of the Gen^ll^ Aſſembly Carry the foll: Anſwer to the Houſe of Burgeſſes with the Laws as they are now Reviſed.

By his Excellency

*M^r^* Speaker

To yor Addreſs even now . . . . . [See J. of H. of B., p. 304.]

[*May* ye third.]

SOME of ye Houſe of Burgeſſes bring ye foll Addreſs.

*To his Ex^cy^* ffrancis *Lord* Howard *Baron of* Effingham *his Maj^ties^ Leiv^t^ and Govr Gen^ll^ of* Virg^a^

The Houſe of Burgeſſes now Aſſembled

Humbly p^r^ſent

That the Houſe . . . . . [See J. of H. of B., p. 303.]

Nicholas Spencer Eſq^r^ Secretary &c added to ye Councell

Ordered the Clerk of ye Gen^ll^ Aſſembly Carry ye foll: Anſwer

*By his Ex^cy^*

*M^r^* Speaker

Yo^r^ Houſe haveing by their humble Addreſs ſett forth that ye laſt Aſſembly prepared Severall Articles of Charge ag^t^ Lt Coll *W^m^ ffitzhugh*, wch Charge I Ordered Capt *George*

George Brent Attorney Gen^{ll} for the time being, to profecute at ye then next Gen^{ll} Court, but noe ꝑfecution being yet had therein, I ſhall forthwith Order and Comand *Edmund Jenings* Eſq^{r} his Maj^{ties} Attorney Gen^{ll}, that without further delay, all papers relateing to y^{e} ſd Articles of Charge be taken into his Cuſtody, to ye Intent the ſd Charge ag^{t} y^{e} ſd Lt Coll *W^{m} ffitzhugh* be by him effectually profecuted at ye next Gen^{ll} Court.

May 3^{d} 1688 *Effingham*

May 5th 1688

HIS Ex^{cy} having ſent to ye Houſe of Burgeſſes to Attend him in ye Councell Chamber, where they being Come he thus Spake to them

Mr Speaker.

I was in Expectation ere this, to have received from you a Bill for ye prohibition of Bulk Tobacco, it being recommended to you, by his Maj^{ties} ꝑticular Directions, wch ought to be Reverenced equall with his Maj^{ties} Comands, therefore could not have thought you would have been ſoe ſlow in yor ꝑformance of them, Eſpecially when it is ſoe ꝑticularly Intended for yor Advantage.

What I ſhall further Recomend to you, is, that you would take under yor Conſideracon, the Repealing that Law for the prohibition of Planting Tobacco after the laſt of *June*, unleſs *Maryland* be under ye like Reſtriction, And it being very unreaſonable to Expect my Lord *Baltemore*, upon whoſe anſwer it at preſent depends, will Conſent to his ſoe Apparent diſadvantage, it will be much more prudent to Repeale that Law, unleſs that Governm^{t} be equally Obliged, then by his Lordſhips refuſall to be ſoe, to have it Repealed.

Further *Gent^{n}* by this yor Act, the Drought now Impending over us, threatning ſoe great a Scarcity of tobacco, his Maj^{tie} will ſee, you doe what in you lyes, by a timely Conſideration, to prevent any Detriment to his Maj^{ties} Cuſtomes, wch together with that Advantage will accrue to you by a further liberty, ſhould a Seaſon for planting Tobacco not Offer, I hope will be a Motive ſufficient to Induce you to it, I ſhall further acquaint you, yor propoſalls laſt Seſſions made to Me for ye building Townes, was faithfully Repreſented to his Maj^{ty}, wch is likewiſe ſent to my Lord *Baltemore*, by ye Lords of ye Comittee for Trade for his Concurrence, as you will be Informed by Letters I ſhall ſend to you, this I thought fitt to Comunicate to you, that you might ſave time, if any ſuch Bill ſhould be under Conſideracon by yor Houſe, and ſoe Diſmiſſt them.

The Clerk of ye Gen^{ll} Aſſembly Carryes the Letter Concerning Townes, to ye houſe of Burgeſſes.

Some of the Houſe of Burgeſſes bring the foll: Addreſs.

To his Ex^{cy} ffrancis *Lord* Howard *Baron of* Effingham *his Maj^{ties} Leiv^{t} and Govr Gen^{ll} of* Virg^{a}

May it pleaſe yor Ex^{cy}

Upon the Reading the Journall . . . . . [See J. of H. of B., pp. 304-5.]

May y^{e} ſeventh.]

THE Clerk Carryes ye foll: Anſwers

Mr Speaker

His Excellency has been pleaſed . . . . . [See J. of H. of B., pp. 308-9.]

By his Excellency

Mr Speaker

The Addreſs Received . . . . . [See J. of H. of B., pp. 309-10.]

[*May*

[*May* ye eighth.]

By his Excellency

MR Speaker
To yor Addreſs relateing . . . . . [See J. of H. of B., p. 312.]
And We do hereby give and Grant . . . . . [See J. of H. of B., p. 312.]

Some of the Houſe of Burgeſſes bring the foll: Bills.

A Bill Directing how Publique Claimes ſhall be Certified for Allowance.

A Bill Declaring how the Charge Ariſeing by Criminalls ſhall be paid for ye future.

A Bill for Ports for ye better ſecuring of his Maj^ties^ Cuſtomes, and Revenues, Ariſing in this his Dominion of *Virginia*

A Bill for an Additionall Law Concerning Negroes, and Other Slaves.

To which the foll Anſwers were Carryed by ye Clerk of ye Gen^ll^ Aſſembly, And his Ex^cy^ Comanded the Grievances to be ſent unto him.

By his Maj^ties^ Councell

*M^r^* Speaker
The Bill Entituled . . . . . [See J. of H. of B., p. 313.]

By his Maj^ties^ Councell

*M^r^* Speaker
Upon the Reviewing . . . . . [See J. of H. of B., p. 313.]

*M^r^* Speaker
As to yor Bill . . . . . [See J. of H. of B., p. 315.]

*M^r^* Speaker
The part of this Bill Reſtraining Negroes from Meeting in Conſiderable Numbers and Walking abroad, as alſo from bearing any Armes, Carrying of Clubbs, Staves, or Other Offenſive Weapons, or Inſtruments, We are of Opinion is ſufficiently provided for by a former Law, made in *June* 1680, And as to ye other part of this Bill, We doe not Concurr in Judgment with you.

Signed by order of ye Councell
W: Edwards Cl Gen^ll^ Cur. [Aff^bly^]

May 9th 1688.

SOME of the Houſe of Burgeſſes bring the foll: Anſwer to his Ex^cies^ Speech on *Satarday* ye 5th of this Moneth
*May it pleaſe yor Ex^cy^*
This Houſe haveing well Weighed . . . . . [See J. of H. of B., pp. 311-12.]

The Clerk of the Gen^ll^ Aſſembly Carryes the foll Reply.

May ye 9th 1688.

By his Excellency

*M^r^* Speaker
Though I did not . . . . . [See J. of H. of B., p. 315.]
Capt *Wm Wilſon* and Mr *Richard Whittiker* bring ye foll Addreſs

By the Houſe of Burgeſſes

*May it pleaſe yor Hon^r^*
It is not a little . . . . . [See J. of H. of B., pp. 315-16.]
Capt *Hen: Applewhait* &c bring the foll Addreſs

*To his Ex^cy^* ffrancis *Lord* Howard *Baron of* Effingham *his Maj^ties^ Leiv^t^ and Govr Gen^ll^ of* Virg^a^

The Houſe of Burgeſſes now Aſſembled

Humbly Prefent
This Houſe haveing Conſidered . . . . . [See J. of H. of B., p. 314.]

By the Houſe of Burgeſſes

May 8th 1688
In Anſwer to a verball Meſſage . . . . . [See J. of H. of B., pp. 313-14.]

[*May*

[*May* ye tenth.]

THE Clerk Carryes the foll Replyes to ye Houſe of Burgeſſes

*M^r^* Speaker

If the Addreſs . . . . . [See J. of H. of B., p. 320.]

By his Excellency

*M^r^* Speaker

I cannot but ſay . . . . . [See J. of H. of B., pp. 319-20.]

By his Excellency

*M^r^* Speaker

I expected the Grievances . . . . . [See J. of H. of B., p. 320.]

Some of the Houſe of Burgeſſes Bring the foll Anſwers.

By the Houſe of Burgeſſes

*May it pleaſe yor Ex^cy^*

This Houſe have proceeded . . . . . [See J. of H. of B., p. 320.]

By the Houſe of Burgeſſes

*May it pleaſe yor Ex^cy^*

This Houſe did well hope . . . . . [See J. of H. of B., pp. 320-21.]

Some of ye Houſe of Burgeſſes bring the Comittees Report of ye Claimes.

The Clerk of ye Gen^ll^ Aſſembly Carryes ye Comittes Report of ye Claimes, with ye foll Anſwer to it.

The Councells Anſwer to ye Report of ye Comittee of Claimes.

Iſle of *Wight* fo: 3

As to ye Claime of *John Lewis* and *Richard Macome* for being Impreſſt to goe in ye Boate to wait on Coll *Lear* by his Ex^cies^ Comand, at a Councell held at Coll *Coles*, y^e^ ſame being for ye Countries ſervice, the Councell therefore are of Opinion, that they ought to be paid by ye Publique, as it allwaies has been, the Councell having noe allowance to pay men Impreſſt for ye Publique ſervice.

Nanzemond fo: 6

We are of ye Opinion, that Capt *Jeffies* Claime ab^t^ y^e^ *Maherin* Indians, ought to be borne by ye Publique, and the Claime being uncertaine, ought to be refferred to ye next Aſſembly.

fo: 7

As to ye Claime of M^r^ *Wm Lee* ſherriff of *Northumberland* County Concerning 3247^ll^ of tobacco, by your Houſe diſallowed, it being ſoe Conſiderable a Claime and noe Allowance made, We deſire to ſee the Accounts and papers, that We may Conſider what is fitt to be done therein.

*Weſtmorl^d^* fol: 8

As to y^e^ ſherriff of *Weſtmorland* for his own Coming and goeing, and Attendance at *James Citty*, and the Guards upon the priſoner, and Wittneſſes being Negroes, being not allowed, altho' the Comittee think it juſt and Reaſonable, the Councell are of Opinion, that Notwithſtanding the Reſolve of ye Houſe, wch cannot oblidge us to Conſent, nor the Country to Obedience, are of Opinion, what is juſt, ought to be allowed.

fo: 8

As to ye Claime of *Thomas Baker*, We think it juſt, that it be Refferred to ye next Aſſembly for proof.

Warwick fo: 10

As to ye Claime of ſeverall ℔ſons for fetching & Carrying Coll *Lear* and Coll *Cole* over *James* River ab^t^ ye Indian buſineſs, it being by Order of ye Govr and Councell, and for the Safety and Security of ye Country, It is thought fitt that y^e^ ſd Men be paid by ye Country, and not out of ye Councell^rs^ ℔ticular purſes, they being allowed noe Allowance, for any Such Service, and never diſputed before.

We

We think fitt that Mr *Edward Sorrell* be allowed his juſt Claime, for Carrying ye priſoner up to *Henrico* County.

fo: 13

The ſherriff of *James Citty* ever was allowed for Attending the Govr and Councell on Genll Courts & otherwiſe, and it being for the Publique good, and ſervice of ye Country, We Conceive ought to have a reaſonable allowance for his ſd Attendance.

fo: 13

We Conceive that, the Councell Roome at Mr *Sherwoods* is, and allwaies was intended for the Govr & Councell, according to ye Agreement of ye Genll Aſſembly, & not a Temporary Agreement, as ye Comittee would ſuppoſe, and yt it cannot be disallowed of, by a part of that Body.

fo: 15

If Coll *Lightfoots* Claime be juſt, We Conceive he ought not to be barred thereof, by Order or Reſolve of yor Houſe.

fo: 17

As to ye Claime of *Joſeſh ffirth*, and *Wm Mansfield*, and their Horſes being Impreſſt by his Excies Comand, we Conceive it was for ye Publique ſervice, therefore ought to be allowed.

As to ye ſeverall Claimes of Mr *Auditor*, ye ℔ticulars whereof are herewith ſent you, wch by Multiplicity of buſineſs were forgotten (and would have been ſent you on ye leaſt Notice) We have peruſed, & find ye ſame to be juſt, and diſburſed for ye ſervice of ye Country, therefore ought to be allowed, and as to his Excies Claime of 16ll 16s for Intereſt, for money diſburſed for the Country, the ſame ought to be allowed, that money being diſburſed for the Good and benefit of ye Country, and We have found the good Effects of it, and ye ſame is approved by his ſacred Majty, and we think his Lordſhip may be as well allowed ſix ℔ Ct for being two yeares out of his money, as others twenty. *May* 10th 1688.

Signed by Order of ye Councell

W: Edwards Cl Genll Aſſbly

Capt *Wm Wilſon* and Mr *Richd Whittiker* bring the foll Meſſage to ye Councell

Whereas this Houſe upon Examination of . . . . . [See J. of H. of B., pp. 316-318.]

The Clerke of ye Genll Aſſembly Carryes ye foll Anſwer to ye Houſe of Burgeſſes *Mr* Speaker

As to yor Requeſt . . . . . [See J. of H. of B., p. 321.]

[*May* the eleventh.]

SOME of the Houſe of Burgeſſes bring the foll papers

By the Houſe of Burgeſſes

A Reply to ye Honble Councells Anſwer to ye Report of ye Comittee of Claimes

Iſle of *Wight*

As to ye Claime of *John Lewis* and *Richard Macome* Impreſſt to goe in ye Boate to waite on Coll *Lear*, This Houſe are of Opinion, yt that Report of ye Comittee is well grounded, they Conceiving that ye Honble Councell ought to Satisfye for their own Conveniences as well for Attendance at Councells, as at Genll Courts they having Annuall Allowances.

Nanzemond

Capt *Jeffys* Claime, the Houſe Conſents it may be Refferred to ye next Aſſembly for better proof.

Northumberland

As to ye Claime and account of Mr *Wm Lee* ſherriff of *Northumberland*, The Houſe are of Opinion, the Report of the Comittee is well grounded, nevertheleſs, they haue appointed two of the Members of that Comittee to wait on yor Honrs with that accot for yor further Satisfaction.

Weſtmorland

Weſtmorland

As to ye Claime of y^e^ ſheriff of *Weſtmorland*, there is already allowed all ye Articles of his acco^t^ according to Law, and for his Expence and loſs of time in Town, by Eſpeciall Comand of his Ex^cy^ and returning the priſoner back, This Houſe doe think fitt to allow one Thouſand pounds of tobacco and Cask

As to *Thomas Bakers* Claime, the Houſe Conſents y^t^ it ſtands refferred to ye next Aſſembly for proof.

Warwick

The Claime of five ℔ſons four dayes ſent by Expreſs for Coll *Lear* is allowed three hundred pds tobacco & Cask. The other Articles are diſallowed, This Houſe Conceiving that ye Honble Councell ought to bear their own Charge in Tranſporting themſelves to and from y^e^ ſeverall Meetings of Councill.

James City

Edward Sorrells Claime for Conveying *Toby* ye Negro Criminall to *Henrico* County, being by Eſpeciall Comand he is allowed by ye Houſe three hundred pds Tobacco.

As for Allowance to y^e^ ſheriff of *James Citty* County this Houſe doe Conceive he ought not to be allowed any thing dureing the time of ye Gen^ll^ Court, his ffees being a ſufficient Recompence But for his Attendance at any Seſſions of Aſſembly when ye Gen^ll^ Court is not held, This Houſe Conſents that he be allowed One hundred and twenty pds of tob: ℔ day.

As to ye Agreement with Mr *Sherwood* for his Great Hall &c for ye uſe and ſervice of his Ex^cy^ and Councell, if ye firſt Agreem^t^ be Inſpected yor Hon^rs^ will find it Temporary, Neverthelefs this Houſe is willing y^e^ ſd Agreement be Continued untill ye 29th *Septemb^r^* 1690.

*Gloſt^r^*

As to ye Claime of Coll *Lightfoot*, the Houſe are of Opinion that ye Report of ye Comittee is well grounded.

York.

As to ye Claime of *Joſeph ffirth* and *Wm Manfield* the Houſe are of Opinion that the Report of ye Comittee is well grounded, it being for Carrying Letters on Boord his Maj^ties^ Ketch *Quaker*, wch this Houſe Conceives is noe Country Charge.

As to Mr *Auditors* Acco^t^ the firſt Article of ſixteene pound ſixteen ſhill for Intereſt This Houſe cannot Conceive how they ſhould be Oblidged to pay Intereſt, when they are not ſenſible they are Indebted the Principall.

The ſecond Article of thirty five pd five ſhill ye Miſtake being rectifyed, it being but thirty two pds ſixteene ſhill is allowed.

The third Article of 5^ll^ 14^s^ 6^d^ for 2295^ll^ tobacco paid Coll *Allerton*, This Houſe Conceive they ought not to allow it, it not being for the Countries ſervice but all Relateing to Mr *Mein* and Capt *Crafts*, & Tranſporting the Honble Coll *Lee* to *Maryland*.

The 4th Article of 11^s^ being paid in Relation to Capt *Craffts*. This Houſe Conceive they ought not to allow it.

As to ye 5th Article of 16^ll^ 10^s^ this Houſe haveing great reaſon to believe that the Meſſenger was paid with a farr leſs Sum̃, they are willing to allow what was Really paid to him for his time and Expences and noe more.

The laſt Article of 3^ll^ 10^s^ paid to *Gowen Dunbarr* being regulated according to Law comes to two pounds ten ſhillings, The Houſe are willing to allow.

Signed by Comand of ye Houſe

Francis Page Cl of ye Houſe of Burgeſſes

*May 11°* 1688.

*May it pleaſe yor Ex^cy^*

This Houſe having Conſidered the ſeverall . . . . . [See J. of H. of B., pp. 321-2.]

To

To his Exᶜʸ ffrancis *Lord* Howard *Baron of* Effingham *his Majᵗⁱᵉˢ Leivᵗ and Govʳ Genˡˡ of* Virgᵃ

The Houſe of Burgeſſes now Aſſembled

Humbly preſent

That upon takeing that part . . . . . [See J. of H. of B., pp. 322-3.]

May it pleaſe yoʳ Exᶜʸ

In a Meſſage from yoʳ Exᶜʸ . . . . . [See J. of H. of B., p. 324.]

By the Houſe of Burgeſſes

In Reply to yoʳ Honʳˢ Anſwer . . . . . [See J. of H. of B., p. 324.]

[*May* yᵉ twelfth.]

THE Clerk of the Genˡˡ Aſſembly Carries the foll Anſwer

Mʳ Speaker

Youʳ Houſe having deſired . . . . . [See J. of H. of B., pp. 325-7.]

Mʳ Speaker

As the Councell are ſoe tender . . . . . [See J. of H. of B., p. 328.]

By his Excellency

Mʳ Speaker

Yoʳ Houſe the laſt Night . . . . . [See J. of H. of B., p. 328.]

The Clerk of the Genˡˡ Aſſembly by his Exᶜⁱᵉˢ Comand goes to yᵉ Houſe of Burgeſſes, and Acquaints them, that his Exᶜʸ Ordered the whole Houſe forthwith to Attend him in the Councell Chamber where they being Come, He Expreſſed himſelfe as foll:

Mʳ Speaker

It hath been Mine, and the Councill's great Admiration, I had not ſooner an Anſwer from yoʳ Houſe, to what was given you in Charge by Me, by his Majeſties particular Directions, relateing to Bulk Tobacco, It being ſoe long Since; And much greater now to receive Such an One from You as *Re Infecta*, had you done as you were firſt Directed, and Since reminded by Me, to have taken that Sooner under Conſideration, you had Saved yoʳ ſelves much time, and the Country much Charge, but Since you have refuſed to Enact what you were particularly Sumoned for, I will be ſoe much the Countries ffriend, to putt an End to that Expence by diſſolving this Aſſembly, And in his Majeſties name you are Diſſolved.

Vera copia Teſt W. Edwards Cl Gen Affᵇˡʸ

133-134

AT A

GEN^{LL} ASSEMBLY

begun at *James Citty* ye 17th day of *Aprill Anno Dom* 1691 and in the third year of ye Reign of our Sovreign Lord and Lady *William* & *Mary* King and Queen of *England Scotland ffrance* and *Ireland* and *Virginia* defenders of ye faith

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1407, pp. 619-688.]

At a Genll Aſſembly begun at *James Citty* ye 17th day of *Aprill Anno Dom* 1691 and in the third year of ye Reign of our Sovreign Lord and Lady *William* & *Mary* King and Queen of *England Scotland ffrance* and *Ireland* and *Virginia* defenders of ye faith

[*April* 17th, 1691.]

Preſent

THE Rt honble *ffra. Nicholſon* Eſqr Lt Govr, *Wm Cole* Eſqr Sec̄, *Ra: Wormeley* Eſqr, *Jno Cuſtis* Eſqr, *Wm Byrd* Eſqr, *Jno Lear* Eſqr, *Chr: Wormeley* Eſqr, *Edwd Hill* Eſqr, *Hen Whiting* Eſqr

It is ordered that *Wm Edwards* Clerk of ye Genll Aſſembly go to ye houſe of Burgeſſes & acquaint them that their Mas Comic̄on appointing his Excy *ffrancis* Lord *Howard* of *Effingham* their Mas Lt and Govr Genll of *Virginia* was imediately to be publiſhed in ye Genll Court houſe where they ſhould give their Attendance to hear ye ſame, and they accordingly forthwith came into ye Genll Court houſe, and after publiſhing of ye aforeſd Comic̄on, their moſt Sacred Mas Order to ye Right Honble *ffrancis Nicholſon* Eſqr their Mas Lieut Governr to execute ye Severall powers and authorities contain'd in ye ſaid Comic̄on and their Mas Inſtrucc̄ons (during his Excellencies abſence) ye Lt Govr and Councill took ye oathes by Law preſcribed to be taken inſtead of ye oathes of Allegiance and Supremacy and Subſcribed ye Teſt;

The Lt Govr comanded ye Burgeſſes to return and elect a Speaker, and acquainted them he had appointed Mr *Peter Beverley* their Clerk, & given him a Comic̄on accordingly.

The Burgeſſes withdraw themſelves and Soon after Capt Ball &c wait on ye Lt Governr and Councill and acquaint them that ye houſe of Burgeſſes had Elected a Speaker.

The Lt Governr then Comanded that the whole houſe of Burgeſſes ſhould attend him and ye Councill in ye Genll Court houſe.

The Burgeſſes wait on his Honr ye Lt Govr and Councill in ye Genll Court houſe, and preſent Coll *Thomas Milner* for their Speaker who begged ye uſual petitions of that houſe and was confirmed Speaker After which ye Lt Govr made ye following Speech.

Mr Speaker *and You Gent of ye houſe of Burgeſſes*

God Almighty having hitherto . . . . [See J. of H. of B., 1659/60-1693, p. 336.]

Coll *Arthur Smith* &c wait on ye Lt Govr and Councill and acquaint them that ye houſe of Burgeſſes had elected Mr *Peter Beverley* their Clerk and deſired that he might be ordered to give his Attendance to which ye Lt Govr anſwer'd that he had before acquainted their houſe he had appointed ye ſaid *Beverley* their Clerk, and given him a Comic̄on for ye ſaid place, and ordered him to give his Attendance.

Mr *Henry Hartwell* &c wait on ye Lt Govr & Councill, and deſire that their houſe may have ye ℔uſal of ye Law requiring ye taking ye Oathes preſcribed by Act of Parliament inſtead of ye oathes of Allegiance and Supremacy which was accordingly deliver'd them.

Saturday Aprll 18—1691

MAJR *Charles Scarbourgh* &c Wait on ye Rt honble ye Lt Govr, and pray him to Comic̄onate Some of ye honble Councill to adminiſter to ye members of their houſe ye oathes enjoyn'd by Act of Parliament.

And *William Byrd* and *John Lear* Eſqr were accordingly Comiconated.

Capt *John Smith* &c wait on ye Rt Honble ye Lt Governr, and requeſt him to favor their houſe with a copy of his Speech.

Ordered

Ordered that *William Edwards* Clerk of ye Gen^ll^ Aſſembly carry a copy of ye Lt Govr Speech to ye houſe of Burgeſſes.

Mr *Henry Hartwell* &c requeſt that Councill may be aſſigned to Swear ye Clerk of ye houſe of Burgeſſes and preſent ye following Addreſs

*To ye R^t^ Honble* ffrancis Nicholſon *Eſq^r^ their Ma^s^ Lt Govr of* Virginia

The houſe of Burgeſſes now Aſſembled

Humbly preſent

That takeing into Conſideration . . . . . [See J. of H. of B., p. 336.]

Chriſtop^r^ Wormeley Eſq^r^ and *Henry Whiting* Eſq^r^ were Comiconated to adminiſter ye oathes by Law appointed to Mr *Peter Beverley* Clerk of ye houſe of Burgeſſes.

Monday Aprill 20th 1691.

MR *Henry Hartwell* &c waites on ye R^t^ hon^ble^ ye Lt Govern^r^ and acquaints him ye houſe of Burgeſſes requeſt that he would be pleaſed to iſſue a new writt for election of a Burgeſs in *Surry* County in ye room of Maj^r^ *Arthur Allen* who hath diſabled himſelf to Serve in this Aſſembly by his refuſal, through Scruple of Conſcience to take ye Oathes enjoyned by Act of Parliament inſtead of ye oathes of Allegiance and Supremacy. And accordingly a new writt iſſued.

Some of ye houſe of Burgeſſes bring ye following Addreſs.

Aprill 20th 1691:

*To ye R^t^ Honble* ffrancis Nicholſon *Eſq^r^ their Ma^s^ Lt Govern^r^ of* Virg^a^

The houſe of Burgeſſes having . . . . . [See J. of H. of B., p. 339.]

Ordered that *William Edwards* Clerk of ye Gen^ll^ Aſſembly carry ye following meſſage to ye houſe of Burgeſſes.

*M^r^* Speaker

The Addreſs of the houſe of Burgeſſes . . . . . [See J. of H. of B., p. 338.]

---

*Theuſday Apr^ll^* 21: 1691

ORDERED that ye following proclamac̃on do forthwith iſſue *Virg^a^ St:*

*By ye R^t^ Honble ye Lt Govern^r^*

A Proclamac̃on

Appointing a day of humiliation and faſting.

It having pleaſed Almighty God of his infinite Goodneſs and mercy to keep this their M^s^ Dominion in peace, when all ye Neighb^r^ing Colonies have been in great diſturbance and Dangers: And ye Gen^ll^ Aſſembly for this Country being now aſſembled to conſider ye beſt meanes to Secure ye peace thereof I *ffrancis Nicholſon* Eſq^r^ their Ma^s^ Lt Govern^r^ of this their Ma^s^ Dominion by ye advice and Conſent of ye Councill of State and deſire of ye Gent of ye houſe of Burgeſſes do hereby appoint that *Saturday* ye 25th of this Inſtant be Set apart as a day of humiliation and faſting for ye Gen^ll^ Aſſembly and Inhabit^s^ of *James Citty* humbly to implore ye divine aſſiſtance in directing this Gen^ll^ Aſſembly to make Such good and wholeſome Laws, as ſhall be for ye Glory of God, the Hono^r^ of their Ma^s^ and Security peace and Safety of this their Ma^s^ Dominion and ye Inhabitants thereof: and on *fryday* ye 8th day of *May* y^e^ ſame to be ꝑformed throughout ye whole Colony. And ye miniſters in ye reſpective ꝑiſhes are not to fail to ꝑform ye duties of ye day by reading ye Service of ye Church and preaching and all ꝑſons are to abſtain from Servile work and labour that day. Given under my hand and ye Seal of ye Colony ye 21^ſt^ day of *Aprill Anõ Doñ* 1691.

ffr Nicholſon

To y^e^ ſhe^r^ of
..... County
or his Deputy

Coll

Coll *John Stone* &c waite upon ye R^t Honble ye Lt Govr and prayed his Hon^r y^t Coll *Nath Bacon* late Aud^r and Coll *Wm Byrd* p^fent Audit^r might be ordered to deliver to ye houſe of Burgeſſes an Account of ye 3^d p^d gall upon Liquors according to ye Act of Aſſembly in that caſe provided

Which his Hon^r anſwer'd ſhould be done.

---

ffryday Aprill 24th 1691

ORDERED that *William Edwards* Clerk of ye Gen^ll Aſſembly carry ye following meſſage to ye houſe of Burgeſſes.

James Citty—Aprill 24th—1691:

Mr Speaker

My Self and ye Councill . . . . . [See J. of H. of B., p. 342.]

Monday Apr^ll 27th 1691

SOME of ye houſe of Burgeſſes wait upon his hon^r ye Lt Govern^r and pray that Councill may be aſſign'd to Swear Mr *Benj^a Harriſon* who was return'd Burgeſs for *Surry County* in ye Room of Maj^r *Arthur Allen*, and *Ralph Wormeley* Eſq^r and *William Byrd* Eſq^r were accordingly Comiconated.

Wedneſday Apr^ll 29th 1691

MR *Benj^a Harriſon* &c wait upon ye R^t Honble ye Lt Govern^r and prayed that ſome of ye Councill might be appointed to hold a Conference with ſome of ye members of their houſe about conſidering ye beſt method for Securing ye Country, & ye moſt expedient way for erecting of a Colledge.

Ordered that *William Edwards* Clerk of ye Gen^ll Aſſembly go to ye houſe of Burgeſſes and acquaint them that *Wm Cole* Eſq^r Sec^ry *Ralph Wormeley* Eſq^r *Wm Byrd* Eſq^r, *Chr: Wormeley* Eſq^r *Edwar Hill* Eſq^r and *Henry Whiting* Eſq^r are appointed to hold a Conference with ſuch members as Should be appointed by their houſe tomorrow after morning prayers, in ye Councill Chamber to conſider ye Security of this Country and ye moſt expedient method of Erecting a Colledge.

Mr *Harriſon* &c bring ye ffollowing Bills.

A Bill to prevent ye Caſting of Ballaſt into Rivers and Creeks.

A Bill directing how publick Claimes ſhall be certified for allowance.

A Bill giving reward for killing of wolves.

A Bill prohibiting ordinary keepers to give credit to Seamen and others.

A Bill declaring how ye Charge ariſing by Criminals ſhall be paid for ye future.

A Bill directing how ſher and Collecters ſhall accoūt for publique dues.

Thurſday Aprill 30th 1691.

W^M COLE Eſq^r reports from ye Conference held with Some of ye houſe of Burgeſſes ye Several methods propoſed for ye Security of ye Country erecting a Colledge and y^e ſame are approved of.

Ordered that ye Clerk of ye Gen^ll Aſſembly enter ye following Anſwers in ye Margine of ye bills Yeſterday brought from ye houſe of Burgeſſes & then return them to y^e ſaid Houſe, *vizt*

In ye bill to prevent ye caſting of Ballaſt into Rivers and Creeks, this bill agreed to with this addition, that where it ſhall appear to ye Court of ye County ag^t which any ſhip or ſhips ſhall ride that ballaſt will doe ye road good, they be there p^rmitted to throw it over board in ye Road, p^rticularly we are informed It will do good in ye Road in *Corotomon* in *Rapp^a* River which is a muddy Road.

A

A Bill directing how publick Claimes ſhall be certified for Allowance. this bill is agreed to.

A Bill giving reward for killing of wolves. this bill is agreed to.

A Bill prohibiting Ordinary keepers to give creditt to Seamen and others, this bill is agreed to.

A Bill declaring how ye Charge ariſing by criminals ſhall be paid for ye future. The fines have been ſo inconſiderable, either by ye remiſnefs of Grand juries or otherwiſe, they will in no wafe [wiſe] bear ye Charge as is propoſed. And provided an Officer be appointed to look after ye fines & forfeitures upon ye penal Laws, we ſhall agree they may as farr as they will extend be put to that uſe, but what they fall ſhort muſt be borne by ye publick, unleſs Some better way be found to do ye Same.

A Bill directing how ſher and Collectors ſhall account for publick dues.

We propoſe that an additionall Clauſe be enter'd excepting their Ma^s^ Quitrents & dues which y^e^ ſheriffs muſt pay in ye firſt and beſt tobacco, alſo a clauſe that ye Sherives be injoyn'd to make ye tobacco good if it ſhall appear not to be So, within ten dayes after it ſhall be allotted ye Cred^rs^ by ye County Court; in which time ye Cred^rs^ are to receive ye Same, otherwiſe that it ly on their Account. And ye 20th of *feb^ry^* being very late will be to ye great hind'rance of ye Severall ꝑſons concerned, we therefore propoſe ye 20th of *Jan^ry^* to be ye time.

By order of ye hon^rble^ Councill

W. Edwards Cl Genl Aſſembl

Mr *Chriſtopher Robinſon* &c wait on ye R^t^ hon^ble^ ye Lt Govr and pray that Some of ye Councill may be Aſſign'd to Joyn wth Some members of their houſe in drawing an humble addreſs to their Ma^s^ for a Colledge, and accordingly Councill were Aſſign'd to meet in ye Councill Chamber imediately after prayers tomorrow morning.

May ye 1^ſt^ 1691.

MR Sec^y^ *Cole* reports ye Severall parts of ye Addreſs agreed to, to be preſented to their Ma^s^ for a Colledge and ye Same are approved of.

Wedneſday May 6, 1691

MR *Chr^r^ Robinſon* &c wait on ye Councill in ye Councill Chamber and preſent a bill about Ports and deſire their Concurrence thereto.

Some of ye houſe of Burgeſſes wait on ye Council and preſent

A Bill to prevent ye Caſting of Ballaſt into Rivers and Creeks,

A Bill directing how ſheriffs and Collect^rs^ ſhall account for publick dues adhered to by their houſe with ye amendments propoſed, they are therefore agreed to.

Thurſday May 7th 1691

ORDERED that ye Clerk of ye Generall Aſſembly carry ye following meſſage

By their Ma^s^ Councill

*M^r^* Speaker

Having recēd A Bill from you Appointing twenty Ports in ye Several Counties in this Colony to which you deſire our Concurrence, On conſideracon thereof & ye places therein named we cannot agree that any place ought to be appointed a Port, but Such as ſhips and goods may probably be Secured at by ffortifications, which Severall of ye places propoſed by you will not admitt of. But that It may be eaſy to ye Inhabitants in procuring ye Severall things they ſhall want from merc^ts^ Stores, We propoſe that ye Severall places appointed in ye Said Bill for Ports, be Towns and have privi-

ledges

ledges to buy and Sell in them, unleſs Such places as are hereafter nominated in their Stead in *York* and *Gloc*r Counties, which we Judge more proper places and that thoſe onely hereafter named be Ports, *viz*t

In *James* River
The place appointed
in *Charles Citty* County
in *James Citty* County
in *Nanſamond* County
in *Lower Norfolk* County
In *York* River
The Ports to be at
Tindals Point &
over againſt it on ye Land of Mr *Read* one port which may be defended by Platformes on each ſide *York* River.
And at ye place appointed in *New Kent* County.
In *Rappa* River
The place appointed
in *Lancaſter* County
in *Rappa* County
In *Patowmeck* River
The place appointed
in *Northumberland* County
in *Stafford* County
The Eaſtern Shore
The places appointed
in *Accomack*
& *Northampton* Counties

But when ye Country Grows more populous and trade increaſeth, more Ports may be made if it be found convenient And

Where its provided, that from and after the firſt day of *October* 1692 no tobacco &c Shall be taken on board any Ship &c in order to be exported in ye Said Ship &c but whatt ſhall come directly from Some one or other of ye Ports wharfes Keys or places mencõned in this Act nor unleſs ye ſame Tobacco, and other goods So taken on Board from Such place or places allowed off by this Act be firſt entered with ye Collector or officer duely appointed to Collect receive and Secure ye Cuſtomes, and a Cocquet or certificate thereof produced from him of Such entry made &c under ye pain & penalty of forfeiting all Such Tobaccoes &c We propoſe that a Proviſo be entered that all tobo Skins &c that ſhall be found on board any Ship Sloop Boat or other Veſſell that hath paſt by any Port after ye takeing in of ye ſaid Tobacco Skins &c & hath not a ℔mitt for ye Same, and to what Port or place they are to be carried, the Said tobo Skins &c, ſhall be forfeited, otherwiſe we conceive any ℔ſon may carry away goods eſpecially ffurs and Skins to *Maryland* to ſhip of, and if he be Surpriſed he may pretend he is to go with ye ſaid Tobacco Skins &c to *Patowmeck* or any other place in *Virginia*, and ſo ye greateſt part of ye Law be found ineffectual.

We conceive ye rates propoſed for deer Skins & furs are Somewhat too high and if they be Set at a more moderate rate it will better anſwer ye Ends of ye Act to raiſe a Revenue, otherwiſe it may incourage ye Carrying that Trade to our Neighb'ing plantacõns of *North* and *South Carolina*, & *Maryland*. and therefore we propoſe a buckskin eight pound and nine pence for every pound & quarter of Beaver, Otter Six pence, wild cat three pence, Minx two pence ffox three pence Raccoon a penny, Muskrats ſix pence ℔ doz: and that Elk Skins be added at twelve pence each.

In ye fourteenth & 15th lines where it is Said, *ſhall from and after y*e *firſt day of* June *be tranſported or conveyed out of this their Ma*s *Dominion* &c we propoſed that inſtead of ye words *tranſported or Conveyed*, Ship'd be inſerted.

Imediately

Imediately after words *anſwer'd and paid to* in ye 18th line we propoſe that this Clauſe be entered. Our Sovreign Lord and Lady ye King and Queen their heirs and Succeſors to and for ye uſes intents and purpoſes hereafter menc̃oed, and no other whatſoever.

We propoſe that imediately after ye words (houſe in ye day time) in ye 13th line be added a Clauſe impowering ye Collect^or^, or Collect^or^s to break open ye Door or doors of any Suſpected houſe, and that all p̃ſons be required to aid and Aſſiſt ye Collect^or^ or Collect^or^s therein.

And for incouragem^t^ of ye Officers that ſhall be appointed by ye Collect^or^s to be carefull, and diligent in ye p̃formance of their duties, we propoſe that Some Small Allowance be made them to be paid by ye exporters and importers of goods out of & into this Colony.

Wee propoſe that a Clauſe be enter'd requireing ye treaſurer or Treaſurers, or Such other p̃ſon or p̃ſons as ſhall be appointed to receive from ye Severall Collectors, ye money accruing due by this Act, to pay that part thereof which is to be to our Sovreign Lord and Lady ye King & Queens Ma^s^ their heirs and Succeſſo^rs^ to and for ye better Support of the Governm^t^, in providing armes and am̃unic̃on for ye Better defence thereof and building and maintaining convenient fortifications for ye defence of ye Ships Arriving in y^e^ ſaid Ports to Such p̃ſons, as ſhall be impower'd by Warrant from ye R^t^ Honble ye Lieu^t^ Govern^r^ or Comander in Cheif to receive y^e^ ſame Yearly for ye uſes aforeſd.

We propoſe that a Clauſe be entered that ye Lands within ye bounds Set for ye Port in *James Citty* County be paid for by ye County to ye Severall Proprietors and Owners thereof in ye Same mañer as ye Lands in ye other Counties appointed for Ports are.

Theſe Alterac̃ons amendments and additions being made we ſhall willingly give our concurrence to y^e^ ſaid Bill conceiving that Ports, but not too many of them will tend greatly to their Ma^s^ Intereſt, and good of this Country

May 7th 1691:

By order of ye Councill

W Edwards Cl Genl Aſſembl

---

ffryday May 8th 1691:

ORDERED that ye Clerk of ye Gen^ll^ Aſſembly carry to ye houſe of Burgeſſes ye following Meſſage

By ye Honble Councill

*M^r^* Speaker

Yeſterday was omitted returning to you a Proviſo to be enter'd in ye Bill for Ports, which we Judge will be of great uſe in Securing ye Revenue intended to be raiſed on Skins and furs which is that a Clauſe be enter'd in y^e^ ſaid Bill, that no goods or Comodities whatſoever for ye Indian Trade ſhall be carried from this Governm^t^ to any other, but Such as ſhall be p̃mitted by ye Collect^or^s, which p̃mitt ye Collectors are not to grant untill good Security be given, that ye produce of thoſe goods ſhall be brought into this Colony and enter'd with ye Same Collect^or^ who gave ye p̃mitt to prevent ffraud therein.

We alſo acquaint you that wee hear they have made a very Strict Law in *North Carolina* to prevent any p̃ſons tradeing with ye Indians but their Inhabitants, this Proviſoe tending ſo greatly to ye Securing ye deſigned revenue for ye good of ye Country we doubt not your takeing y^e^ ſame into Conſiderac̃on

May 8th 1691.

By order of Councill

W. Edwards Cl Genl Aſſembl

Coll *Lawrence Smith* &c waited on ye Councill in ye Councill Chamber and preſented ye Six ffollowing bills to which they deſired ye Councills Concurrence, *vizt*

A Bill reviving y^e *Act for advancement of Manufactures of ye growth of this Country* &c

A Bill reviving ye Sixth Act of Aſſembly made at *James Citty* ye 20th of 8^br^ 1686 regulateing ye tare of Tobacco hhds.

A Bill for dividing *New Kent* County

A Bill for a ffree trade with Indians

A Bill to prevent Horſes ruñing at Large and barking ffruit trees.

A Bill for ye more effectual Suppreſſing ye Several Sins and offences of Swearing &c

---

Saturday May 9th 1691:

ORDERED that ye Clerk of ye Gen^ll^ Aſſembly carry ye ffollowing Meſſage to ye houſe of Burgeſſes

By their Ma^s^ Councill

*M^r^* Speaker

having late in ye afternoon of ye day paſt receīd Six bills from you to which You deſired our Concurrence, Do herwith return them with ye ffollowing Anſwer *Viz^t^*

A Bill reviving y^e *Act ffor advancem^t^ of manufacturs of ye growth of this Country* is agreed to.

A Bill reviving ye Sixth Act of Aſſembly made at *James Citty* ye 20th of *October* 1686. regulateing ye tare of tobacco hogſheads is agreed to.

A Bill for dividing *New Kent* County is agreed to, dayes for ye Court of *King* & *Queens* County to be held on being appointed by you.

A Bill for a ffree trade with Indians

We propoſe that a Clauſe be added to this bill reſtraining ye Inhabitants of this Dominion from going a hunting remote ffrom y^e *Engliſh* Plantacons, but by ℘miſſion of ye R^t^ hon^ble^ ye Lt Govr and Councill, & under Such Condicons, and reſtrictions as they ſhall appoint, that thereby ye miſcheifs which have ffrequently happen'd at huntings may be prevented for ye ffuture.

A Bill to prevent horſes ruñing at Large and barking ffruit trees.

Wee conceive the firſt part of this Bill which provides that all horſes &c ſhall be kept within ffenced grounds will ſo leſſen ye quantity of horſes that in a ſhort time, horſes will be wanting for their Ma^s^ Service, in ye Security of ye Country, & that being omittd we agree to ye other part of ye bill.

A Bill for ye more effectual Suppreſſing ye Severall Sins and offences of Swearing &c

Wee propoſe that ye two laſt proviſoes in this Bill be left out, ye laſt of them being directly contrary to their Ma^s^ Inſtrucons

Alſo we propoſe that a Clauſe be added that Blaſphemy be puniſhed, according to ye Law of *England* in that caſe made and provided.

Theſe alteracons amendments and additions being made we ſhall readily give our Concurrence to ye aforeſd Bills

May 9th 1691.

By order of ye Councill

W. Edwards Cl Genl Aſſembl

A letter ffrom their Ma^s^ Juſtices of ye Peace of *Lower Norfolk* County directed to ye R^t^ Honble ye Lt Govern^r^ and Councill and Burgeſſes of this Gen^ll^ Aſſembly complaining ag^t^ Capt *John Jenings* Comander of their Ma^s^ Ship *Experiment* is referred to ye Conſideracon of ye houſe of Burgeſſes.

Coll *Anthony Lawſon* &c wait upon ye R^t^ Honble ye Lt Govern^r^ and Councill in ye Councell Chamber and preſent them with the following Addreſs

May ye 9th 1691:

By ye houſe of Burgeſſes

Upon reading a Letter Subſcribed . . . . . [See J. of H. of B., pp. 355-6.]

Capt

Capt *William Randolph* &c wait upon ye Councill in ye Councill Chamber and prefent ye Claimes made this Aſſembly for their concurrence. And alſo prefented ye following reſolve of their houſe, and deſired ye Councills concurrence.

Thurſday May ye 7th 1691:

By ye houſe of Burgeſſes.

Upon reading ye report . . . . . [See J. of H. of B., p. 351.]

Monday May 11th 1691:

MR *Chriſtopher Robinſon* &c wait on ye Councill in ye Councill Chamber, and deſire that ſome of ye honble Councill may be appointed to hold a Conference with ſome of ye members of their houſe, about ye amendments and alteracons made in ye bill for Ports.

Ordered that ye Clerk of ye Genll Aſſembly go tomorrow morning to ye houſe of Burgeſſes, & acquaint them, that ye Rt Honble ye Lt Govr & Councill have iſſued a warrant requiring Capt *John Jennings* Comander of their Mas Ship *Experiment* to make his appearance at *James Citty* on *thurſday* next to anſwer ye things complained of agt him by their Mas Juſtices of ye peace of *Lower Norfolk* County.

Alſo that he acquaint them ye Councill hath appointed *William Cole* Eſqr Secry— *Ralph Wormeley* Eſqr, *John Lear* Eſqr & *Edward Hill* Eſqr to hold a Conference about ye amendments and alteracons made in ye bill for Ports in ye Councill Chamber with Such members as they ſhould appoint, tomorrow imediately after morning Service, And that he deliver them ye opinion of ye Councill about a fitt place for a Colledge by Gods ꝑmiſſion deſign'd to be erected in this Country and of fitt ꝑſons to be prefented to their Mas to take their Royal grant for erecting thereof

---

Tueſday May 12th 1691:

ORDERED that ye Clerk of ye Genll Aſſembly carry ye following Meſſage to ye houſe of Burgeſſes.

By ye Honble Councill

Claimes in *Año* 1688.

New Kent County

Wee Conceive that no allowance for ye future ought to be made to *Jno Kimbrough* he being very well able to maintain himſelf, unleſs by order of ye Genll Aſſembly it was Setled for his life.

Warwick County

Wee conceive ye men carrying Coll *Cole* to *Nanſamond* and ye reſt of ye Article ought to be allowed, it being for ye Countryes Service about ye Indians for which no allowance is made to Coll *Cole* as a Councellor and therefore ought to be paid by ye Country.

James Citty County

We conceive there is as much Law and reaſon to allow ye ſher of *James Citty* Coun for his own and his Officers attendance on ye Governr and Councill in Aſſembly time as for Allowing to ye Meſſengers and Door keepers of Your houſe therefore propoſe that Majr *Saml Weldon* late ſher of this County be allowed five thouſand pds of tobo and Cask.

York County

As to ye Claimes of *Nath Bacon* Eſqr late Auditr he hath produced his account and Wee having examin'd it find Juſtly due to him Sixty one pds ten ſhill and Six pence which he ought to be allowed, and herewith Send his acco

Surry County

The Severall interpreters Claimes we conceive ought to be allowed, and they paid each 4000lb tobo and Cask ꝑ *Annum*, they having ꝑformed many Services been at great

great trouble and Charge in Attendance at *James Citty* and were never allowed Leſs and It being of Abſolute neceſſity there ſhould be interpreters it is propoſed if You can find ℔ſons as fitt as thoſe already appointed, that will Serve for leſs on preſentacõn of them to ye R^t Honble ye Lieu^t Govern^r they may be appointed.

James Citty County

Wee Conceive that *W. Edwards* Clerk of ye Genl Court, who to our knowledge hath performed many more Services the two years laſt paſt, then was or Could be expected when ye rule was made of 5000^lb of tob^o & Cask. Wee therefore propoſe that he be allowed Six thouſand pds of tob^o and Cask.

Mr *Henry Gauler* ſheriff of this County for his & his officers attendance, wee Conceive he ought to be allowed for ye Reaſons given before in Maj^r *Weldons* claimes five thouſand pds of tob^o, and Cask, and as to his Charge about Mr *Woodcock* there was an abſolute neceſſity for ye Charge, his Ma^s having comanded ye Sending them to *Maryland* And they not having any eſtates in this Colony to Satisfie ye Same we are of Opinion what is Juſt ought to be allowed.

We conceive Mr *Robert Holderby* Clerk of *James Citty* pariſh ought to be allowed for Attendance at prayers fifteen hundred pds of tob^o and Cask, as well as *John White* for Ringing ye Bell 800 pds of tob^o & Ca: which we Judge he hath well deſerved.

York County

We conceive Mr *Robert Read* ſhef of this County ought to be allowed what is Juſt of his account about *Maſon* and *Reevely* for ye Reaſons given in Mr *Gaulers* account.

We conceive *Wm Chapman* ought to have no allowance for ye future for ye reaſons given before for *John Kimbroughs* not being allowed.

To Meſſengers paid by m^r Audit^r *Byrd* for ye Countries Service	12:	12:	00
to paid *Alexander Boniman* for tranſcribing ye reviſed Laws	04:	—:	—
To *W Edwards* for his aſſiſtance in ye Same	01:	—:	—
To Coll *John Page* for a printed book of Acts and ye written Laws Since ye printed Sent for *England*	00:	15:	00
To *Edward Roſs* for beating ye drum 3 yrs	22:	10:	00
To Severall meſſengers for ye Countries Service	18:	00:	00
To Coll *Cuthbert Potter* for going to *New York*, *Penſilvania* and *New England* to know y^e ſtate of thoſe Governm^ts and inquire into y^e *Canada* affair that this Governm^t might know how to act for ye Security of ye Country	60:	00:	00
To *Wm Cole* Eſq^r paid to Meſſeng^rs for ye Countreys Service	01:	04:	00
To *Richard Lee* Eſq^r pd to divers Meſſeng^rs to *Maryland Patowmeck* and *James Citty* about ye Indian buſineſs	11:	05:	00
To Mr *Robert Read* paid to Meſſeng^rs for ye Countries Service	05:	00:	00
To a Meſſenger now ſent to *New York Penſilvania* and *New England* for ye Countries Service	40:	00:	00
To paid *George Lindſey* a Soldier who came from *Albany*, and was Sent for *England* to give an acco^t of that Governm^t, in order that care might be taken for ye Security thereof, and this Country thereby Secured	02:	10:	00
To *Gilbert Moor* for looking out on ye Seaboard ſide of ye Eaſtern ſhore by order of Councill 3 moneths	04:	10:	00
To m^r *Wm Sherwood* for ye Councill Chamber by agreement	25:	00:	00
To *Edward Roſs* for Severall meſſages for ye Countrys Service	03:	00:	00
To *Edward Chalice* A Meſſage for ye Countreys Service	01:	10:	00
To m^r *Edward Sorrell* for Meſſages for ye Countreys Service	01:	00:	00
To *ffrancis Bullivant* a meſſage for ye Countreys Service	00:	06:	00

The duty of Three pence ℔ gall on Liquors was raiſed to eaſe ye heavy ℔ poll, and bear ye Contingent charges of ye Governm^t, And Several Sums of money having been *bonâ fide* paid for ye Contingent charges of ye Governm^t ye Acco^t whereof We have carefully examined and have found them juſt: have Sent you an account of ye Severall Sums as above, and doubt not your allowance of them.

And

And we propoſe that you take care to raiſe Allowances for ye Lieu^ts^ and Soldiers appointed to Range, for ye Security of ye Countrey by Order of ye R^t^ Honble ye Lieu^t^ Govr and Councill.
May 12th 1691:

By order of ye Councill
W Edwards Cl Gen^ll^ Aſſembl

Wm Cole Eſq^r^ reports from ye Conference held with ſome of ye houſe of Burgeſſes about ye alteracõns and amendments in ye bill for Ports, ye Severall parts of their Conference & amendm^ts^ agreed to, and y^e^ ſame are approved of.

Thurſday May 14th 1691

MAJR *Scarbourgh* &c wait upon ye Councill in ye Councill Chamber and preſent ye bill for Ports, with their agreem^t^ to ye additions alteracõns and amendments ſent to them except one Clauſe now adhered to by ye Councill, *It is therefore ordered* that ye Clerk enter ye Aſſent of ye Councill to ye Said Bill, which was accordingly done. And alſo p^r^ſented

A Bill for dividing *New Kent* County; wherein they had agreed to ye addition propoſed thereto, and

A Bill for a free trade with ye Indians, to which they adhered with ye Severall additions, as alſo that they had agreed to ye amendments in

the Bill to prevent horſes runing at large and barking ffruit trees

Alſo propoſed that a Conference might be held about ye amendments made in ye bill for ye more Effectual preventing ye Severall Sinns and offences of Swearing &c and accordingly a conference was appointed, & Councellors nominated for ye Same to be held in ye Councill Chamber imediately after Sunſett this day.

Mr *Chriſtopher Robinſon* &c wait upon ye Councill in ye Councill Chamber and preſent ye fõll Bills and deſire their Concurrence thereto, *vizt*

A Bill declaring ye duty of Farmers Curriers and Shoemakers.

A Bill for dividing *Lower Norfolk* County.

A Bill enjoyning ye planting and dreſſing of fflax and hemp.

A Bill providing for ye better defence of ye Country.

Mr *Robert Bolling* &c Wait upon ye Lt Govr and Councill in ye Councill Chamber and deſire ye depoſitions of m^r^ *Thomas Hodges* m^r^ *George Newton* Capt *William Craford* and m^r^ *Thomas But* concerning ye complaint made againſt Capt *John Jenings* might be taken

---

ffryday May 15th 1691

MR Sec^ry^ *Cole* reports what paſt in ye Conference about ye amendments in ye bill for ye more effectual preventing ye Severall Sins and offences of Swearing &c.

Mr *Chriſtopher Robinſon* &c wait upon ye Councill in ye Councill Chamber and preſent a bill for ye alteracõn of ye time of proceſſioning Lands, and deſire their concurrence thereto.

And acquaint them that ye houſe of Burgeſſes had agreed that ye Land of m^r^ *Wm Buckner* on ye South ſide *York* River was a fitt place for ye Erecting of a Colledge, and propoſed that ye R^t^ Honble ye Lt Govr and four of ye Councill and four of ye Clergy to be nominated by ye Councill, and ten more to be nominated by them were a fitt number of p̃ſons to be preſented to their Ma^s^ to take their Royal grant for ye Erecting thereof.

Ordered that ye Clerk of ye Gen^ll^ Aſſembly carry ye following meſſage to ye houſe of Burgeſſes and acquaint them that they approved of ye place for ye Colledge to Stand on and had nominated *Wm Cole* Eſq^r^ Sec̃ *Ralph Wormley* Eſq^r^ *William Byrd* Eſq^r^ and *John*

Lear

Lear Esqr of ye Councill ye Reverend *James Blair* Cōmissary to ye Bishop of *London* and y^r Reverend *John Banister* two of ye Clergy and desired them to nominate ye other two, of ye Clergy to be presented with those that should be nominated by them to take their Ma^s Royal grant for ye Erecting of a Colledge in this Country.

Also that ye depositions of y^e ℙsons by them desired to be taken were taken and a Conference with some of their house desired in ye Councill Chamber imediately after prayers tomorrow morning.

Ordered that ye Clerk of ye Gen^ll Assembly carry ye following Bills with ye severall answers thereto, to ye house of Burgesses

By ye hon^ble their Ma^s Councill

Mr Speaker

Having received from you five Bills to which you desired our Concurrence, do herew^th return them, with ye following answers, *vizt*

A Bill declaring ye duty of Farmers Curriers and Shoemakers is agreed to.

A Bill for dividing *Lower Norfolk* County is agreed to.

A Bill enjoyning ye planting and dressing of flax and hemp.

We propose that instead of ye preamble thereof, this following be inserted *Viz^t*

fforasmuchas for some time past ye Inhabitants of this Country have Suffered great want of Linnen by reason of ye Warrs And to ye End ye same may be endeavred to be prevented, Bee it enacted &c as in ye 5th Line.

Also we propose that ye words in ye last line *vizt*, *and from thence to ye End of ye next Session of Assembly* be left out these being done, ye rest of ye bill is agreed to.

A Bill providing for ye better defence of the Country.

Wee propose that an Additionall clause be made to this bill impowering ye R^t Honble ye Lt Govr and Councill to appoint Some Surveyo^rs to mark out a Road from above ye Inhabit^s of *James* River to Some place above ye Inhabitants of *Rapp^s* River, and to order men to clear ye same at least twenty five foot wide, or that you now take care to order ye doing thereof, and that ye Charge be paid by ye Country in ye next Leavy, Also that no Surveyo^r presume to survey any Land above ye said Road; for three years next to come, nor any ℙson Seat on any Land already surveyed within that time And we propose that ye bounds between y^e *English* and Indians on ye South side of *James* River be explain'd and ascertain'd, and that some measures be taken to know who ought to continue in *Pamunky* neck and who to be removed, these being done ye bill is agreed to.

A Bill for ye alteracōn of ye time of processioning Lands.

We propose that a Clause be added to this bill enjoyning y^e ℙishon^rs of every ℙish in this Colony to return an account of their proceedings in the processioning Lands in their precincts to ye Severall vestryes in their Counties, and that ye vestryes return an account thereof to ye County Courts, and ye County Courts to ye Succeeding *Aprill* Gen^ll Court, under certain penalties to be imposed on ye delinquents: This wee conceive will be a great means to cause ye Act for processioning to be put in effectual execution, Settle ye bounds of Lands and prevent Law Suites.

By order of Councill

May 15th 1691 *W. Edwards* Cl Genl Assembl

Saturday May 16th 1691:

MR *Christop^r Robinson* &c wait on ye Councill in ye Councill Chamber and presen^t ye bill enjoyning ye planting and dressing of flax & Hemp, with ye amendm^ts proposed agreed to by their house, also acquainted ye Councill their house desired an answer to ye proposal about allowance to Coll *Ludwell.*

Ordered that ye Clerk of ye Gen^ll Assembly carry ye following Answer to ye proposal about allowance to Coll *Ludwell* to ye house of Burgesses,

Mr Speaker

Having rec̄ed a verball message . . . . . [See J. of H. of B., p. 362.]

Mr Sec^ry *Cole* reports what past in ye conference about ye Complaint made against Capt *John Jennings*

Monday

Monday May 18th 1691:

CAPT *Jn° Smith* &c wait upon ye Councill in ye Councill Chamber and preſent an anſw^r to ye Claimes Sent to ye houſe of Burgeſſes Alſo a reply to ye anſwer Sent by them to ye propoſall about allowance to Coll *Phill Ludwell*, And deſired that ye Lieu^t Govr and Councill would Joyn with them in drawing up an addreſs to their Ma^a Setting fforth ye accoñ of Capt *John Jenings* in ye Court of *Lower Norfolk* County.

Tueſday May 19th 1691:

ORDERED that ye Clerk of ye Gen^ll Aſſembly carry ye following meſſages to ye houſe of Burgeſſes

By ye hon^ble their Ma^t Councill

Mr Speaker

Having conſidered ye returns of your houſe to ye additions made to ye Claimes, do here give You reaſons beſides thoſe Sent with them to make appear they ought to be allowed *Viz^t*

Warwick County 1688

There is y^e ſame reaſon that ye poor men who were impreſt to Sett Coll *Lear* over ye River when he came for ye Countries Service about ye Indians ſhould be paid for carrying him home as well as fetching him.

York County 1688.

As to ye Claimes of *Nath Bacon* Eſq^r for Sixty one pds ten ſhill and Six pence it appears by ye proceedings of ye laſt Aſſembly in an anſwer Sent by ye houſe of Burgeſſes to ye Councill dated *May* 11th 1688. that they had ye perticulars before them and allowed 32^li: 16^s: 00 of ye Article of 35^li: 10^s: 00^d.

And ye article of 16^li: 10^s: 00^d; about ye meſſengers to *New York* &c the houſe anſwer'd they were willing to allow, what was really paid, and Coll *Cuſtis* who is ye party that paid it declares that he really and *bonâ fide* paid ye whole in money.

And ye particle [article] 03^li: 10^s: 00^d to *Gawen Dunbar* ye houſe regulated y^e ſame to 2^l: 10^s So as it appears ye houſe had all y^e ℔ticular accounts & examin'd them and therefore they ought to be allowed.

Surry County 1691

As to ye Interpreters they were imployed by ye Govr Councill and Burgeſſes, and there was neceſſity for them for y^e ſafety of ye Country, And there is as much Juſtice in paying of them ye allowance that was Setled as in paying them any thing, And they have by their often going to and looking after ye Indians in this time of Warr, and coming to Town been at great trouble and Charge and therefore we propoſe they may have their full allowance.

And we conceive (eſpecially in this time of warr) there cañot be leſs then three interpret^rs, but we ſhall be willing to leſſen ye Charge of ye Country as much as poſſible by finding methods that they ſhall be at leſs trouble and Charge, and therefore Wee propoſe that ye Interpreters that belong to all ye Indians on ye South ſide *James* River for ye time to come ſhall haue 4000 pds of tob° & Cask ℔ *Añ:* ye Interp^r to ye Indians on *York* River 2500 pds of tob° & Cask and ye Interp^r on *Rapp^a* 2500 pds tob° & Cask ℔ *añum.*

James Citty

As to ye addition to ye Allowance to *W. Edwards* for extraordinary Service by reaſon of ye wars &c his trouble and paines has been double what was uſual, and therefore we think he ought to be conſider'd for it.

And as we out of reſpect to your houſe do not diſpute or queſtion ye allowances ye houſe of Burgeſſes makes to their Officers, So it Seems to us as reaſonable that his Hon^r ye Lt Govr and wee conſider of fitt allowances for our Clerks.

As to Severall Allowances

To

To Meſſengers paid by m^r^ Auditor *Byrd* for ye Countries Service..... 12: 12: 00
To Severall Meſſages for ye Countreys Service..... 18: 00: 00
To *Wm Cole* Eſq^r^ pd for meſſeng^rs^ for ye Co^a^ Service..... 01: 04: 00
To *Richard Lee* Eſq^r^ pd to divers Meſſeng^rs^ to *Maryland Patowmeck & James Citty*..... 11: 05: 00
To Mr *Robt Read* pd to meſſengers for ye Countreys Service..... 05: 00: 00
To *Edward Roſs* for Severall meſſages for ye Countrys Service..... 03: 00: 00
To *Edwd Chalice* A Meſſage for ye Countr^a^ Service..... 1: 10: 00
To *ffra: Bullivant* for a meſſage for ye Co^a^ Service..... 00: 06: 00

The Govr & Councill never making any allowance of any Such thing, untill y^e^ ſame have been Strictly examin'd by them, and they knowing all theſe Sent to be Juſt and due to ye Sevrall ℔ſons imployed by ye Honble Govr &c they conceive they ought to be allowed, and It is ye opinion of ye Councill that their Examinacõn is of equal creditt with any County Court, and as to y^e^ ℔ticular Services It cañot be done unleſs his Hon^r^ Could remember, and ſhould give an acco^t^ of ye Contents of every Letter Sent to him and wrote by him which is not requiſite, and therefore they inſiſt that y^e^ ſame be allowed, as at firſt propoſed, but for ye future y^e^ ℔ticular receipts of every ℔ſon, & whether Sent may be kept and produced on all occaſions as to ye charge of four pds to *Alexander Boniman* twenty ſhill to *Wm Edwards*, and fifteen ſhill for a Law book Sent to *England*, all about reviving [reviſing] ye Laws y^e^ ſame was by ye Kings order to ye Govr and Councill and ought to be allowed.

As to ye Article of forty pds to ye Meſſenger now Sent to *Penſilvania New York* and *New England*, his name is *John Perry* who came from thoſe parts to give an account to His Hon^r^ ye Lt Govr of affaires there, and is imployed by ye Lt Govr & Councill as Coll *Potter* was, and carried Letters from ye R^t^ Honble ye Lt Govr to ye Several Governm^ts^ that we might ye better be enabled to take meaſures for ye defence of this their Ma^s^ Governm^t^, & ye Inhab^ts^ thereof, & we hourly expect his return.

As to ye allowance to ye Drumer, It was ye Conſtant and uſual way to give ye people notice of ye Sitting of ye Gen^ll^ Court by beating ye drum̃, and was for ye onely Service of ye Country & allwayes allowed by ye publick.

And as *Roſs* was Juſtly puniſhed according to his deſert, for his abuſes to ye Speaker and Burgeſſes, So it is but Juſt he ſhould be paid what is due to him for his Services, but as he hath not for Some time So he ſhall not be any more imployed in that Service.

We approve of ye Allowance you have raiſed for ye Soldiers at ye heads of ye Rivers but deſire that you will order care to be taken that y^e^ ſame be paid to them as near as poſſible to ye places they range in, It being a military maxime to pay well and puniſh well.

May 19th 1691: By order of Councill
W. Edwards Cl Genl Aſſembl

By ye hon^ble^ their Ma^s^ Councill

Mr Speaker

As to ye Allowance made to Coll *Phill Ludwell*, altho' he was imployed without ye Aſſent of ye Councill, nor did they ever ſee any ℔ticular acco^t^ of his expences, Yet to gratifie ye deſires of Your houſe We did Aſſent to ye allowance of two hundred & fifty pds by you propoſed, provided you allowed y^e^ ℔ticulars to meſſengers and other Services which are really due for their Ma^s^ and ye Countrys Service, and were part of ye very charge that was allwayes paid by ye poll, and ſo within ye very Letter and intention of ye Law, & we ſtill continue o^r^ opinions that ye allowances in ye paper herew^th^ Sent be paid, otherwiſe ye whole be moſt humbly Submitted to ye determinacõn of his moſt Sacred Ma^e^

May 19th 1691. By order of Councill
W. Edwards Cl Gen^ll^ Aſſembl

Ordered that ye Clerk of ye Gen^ll^ Aſſembly acquaint ye houſe of Burgeſſes, that if they will prepare an Addreſs to their moſt Sacred Ma^es^ Setting forth ye Accoũ of Capt *John*

John Jennings in *Lower Norfolk* County Court, and Sending it to be confidered if ye Councill approve thereof, they will Joyn therein.

Some of ye houſe of Burgeſſes brought ye following meſſage and addreſs to be preſented to their Maſ

By ye houſe of Burgeſſes

May 19th 1691

Ordered that ye Addreſs to their Maſ be preſented to ye honble Councill and that they be deſired to Joyn with ye houſe in ye ſame, and that if they ſhall not be pleaſed So to do, that then they be deſired to be a means to obtain leave from ye Honble ye Lt Govr for this houſe to appoint ſome ffitting ℔ſon to preſent ye ſd Addreſs to their Maſ from this houſe, and in their behalves to Sollicite and obtain a favrable Anſwer to ye ſame and to imploy So much of ye money now in Bank from ye impoſiĉon of ye 3d ℔ gall upon liquors as ſhall be Sufficient to defray ye needfull charge thereof.

Teſt Peter Beverley Clerk of ye houſe of Burgeſſes.

Ordered that ye Clerk of ye Genll Aſſembly carry ye following meſſage to ye houſe of Burgeſſes, & return ye Addreſs to them.

Mr Speaker

As to ye meſſage Sent by ye houſe of Burgeſſes deſiring us to Joyn them in an humble Addreſs to their Maſ Wee haue conſidered of ye Addreſs and herewith Send our Opinions, how farr ye Addreſs ought to extend.

And alſo in what points we are willing to Joyn with your Houſe, humbly to petiĉon their Maſ for Such Matters as are for ye good of ye Country.

And we ſhall readily Joyn with your houſe to ye Rt Honble ye Lieut Govr that a fitt perſon may be appointed humbly to preſent ye addreſs and petiĉon to their Maſ that ſo much of ye money in Bank as ſhall be thought fitt may be imployed in that Service.

May 19th 1691: By order of ye Councill

W. Edwards Cl Genll Aſſembly

By ye honble their Maſ Councill

Mr Speaker

Wee haue taken ye Addreſs Sent by yor houſe into our Serious Conſideraĉon and will moſt readily Joyn with you in any Addreſs and petiĉon that becomes us, and will be for ye good of this their Maſ Dominion

And wee propoſe that ye firſt part of ye Addreſs Sent us being a congratulation of their Maſ happy acceſſion to ye Crown and or humble prayers to God Almighty to proſper their Maſ undertakings & preſerve their Royal ℔ſons, and our humble & hearty thanks for maintaining & Setling ye Proteſtant Religion and Church of *England* as ye Same is Eſtabliſhed by Law &c Ought to be in An Addreſs by it Self for ye Rt Honble ye Lt Govr Councill and houſe of Burgeſſes.

And if your houſe pleaſe to appoint ſome of yr members there will ſome of ye Councill be appointed preſently affter prayers to finiſh that Addreſs.

And as to ye other matters menĉon'd in Your Addreſs, We are of Opinion that ye proper way of humbly deſiring any ffavr from their Maſ ought to be by an humble petiĉon by it Self and we will Joyn in that petiĉon So far as is Suitable to our duties which is in ye ℔ticulars following, *vizt*,

firſt The great want of Aṁunicōn ye Country was in before their Maſ were graciouſly pleaſed to Send ye hundred barrells of Powder laſt year into ye Country and Set forth ye Poverty of ye Country & want of Armes and Aṁuniĉon and fortifications, humbly to beſeech their Maſ to ſend in what armes and Aṁuniĉon they ſhall think fitt for ye defence of ye Country, And that their Maſ will be graciouſly pleaſed to appoint Some part of ye Revenue, as they in their princely wiſdomes ſhall think fitt towards ye fortifying Such places as ſhall be moſt convenient for ye Secry of this their Maſ Country, and ye ſhips trading hither

2ly That their Maſ would be graciouſly pleaſed to confirm ye Royal Charter granted to this their Maſ Dominion by King *Charles* ye Second of happy memory bearing date

ye

ye 10th day of *October* in ye 28th year of his Reign, and all other Charters grants and priveledges granted before that time with Such further and other priviledges and Emolum^ts as their Ma^s in their Princely goodnefs fhall think fitt to grant to ye Inhabitants of this their Ma^s Dominion, for ye incouragement of others to come and inhabit here.

3^ly That their Ma^s wou'd be pleafed to take into their Gracious confideracons ye Inhabit^s of y^e *Northern Neck*, between *Patowmack & Rapp^a* Rivers, And in their Princely goodnefs take Such meafures that ye Lands in that neck may be held as ye other Lands in this Dominion are, directly from their Ma^s, and that thofe poor inhabitants may not be deprived of ye Liberties priviledges and im̃unities ye other Inhabitants, enjoy under their Ma^s which will much incourage ye better Setling that part of ye Country, and ye better enable them to defend themfelves from any forreign Enemy.

4^ly That their Ma^s would be pleafed to take into their gracious confideracon, ye Laws of this their Dominion, and be pleafed to confirm Such & fo many of them, as he in his princely goodnefs fhall think fitt for ye good & well Settlem^t of ye Governm^t and profperity of ye Inhabit^s here, and that for redreffing any greivances or makeing any Laws that there fhall be a neceffity for, for ye better Governm^t of this y^r Ma^s Country, that their Ma^s would order & appoint that Gen^ll Affembly's be held at leaft once in two years & oftener if neceffity require

May 19th 1691: By order of ye Councill

W Edwards C Gen^ll Affemb

Mr *Chriftopher Robinfon* &c wait upon ye Councill in ye Councill Chamber and Prefent

A Bill for ye better defence of ye Country,

Wherein they adhered to part of ye amendments propofed, and ye Councill agreed ye Reft fhould be left out.

A Bill for altering ye time of proceffioning Lands

Agreed to without ye amendm^ts propofed; &

A bill for Suppreffing out lying Slaves.

Ordered that ye Clerk of ye Gen^ll Affembly carry ye follō meffage to ye houfe of Burgeffes.

By ye hon^ble their Ma^s Councill

Mr Speaker

Wee propofe that this Claufe be inferted in ye bill for Suppreffing out lying Slaves, in ye 20th line im̃ediately after ye words *wayes w^tfoever, vizt*

Provided that where any Negro or Mulatto Slave or Slaves fhall be kill'd in ye purfuance of this Act, the owner or Owners of Such Negro or Mulatto Slave fhall be pai'd for Such Negro or mulatto Slave 4000 pds of tob^o by ye publick.

Alfo we propofe that this following Addition may be made to ye Said Bill, And be it further enacted by ye Authority aforefd and It is hereby Enacted, that if any *Englifh* woman being ffree fhall have a baftard Child by any Negro or Mulatto fhe fhall pay ye Sum̃ of fifteen pds *Sterl* within one moneth after Such baftard Child fhall be born, to ye Church wardens of ye P̃ifh where fhe fhall be deliver'd of Such Child, and in default of Such payment fhe fhall be taken into ye poffeffion of ye Church wardens, and difpofed of for five years, and ye faid Sum̃ of fifteen pds or w^t ever ye woman fhall be difpofed of for fhall be paid one third part to their Ma^s for and towards ye Support of ye Governm^t and ye Contingent Charges thereof, one other third part to ye ufe of ye P̃ifh where ye Offence is Com̃itted, and ye other third to ye Informer. And that Such Baftard child be bound out as a Servant by ye fd Church wardens untill he or fhee fhall attain ye age of 30: years, and in Cafe Such *Englifh* woman that fhall have Such baftard Child be a Servant, fhe fhall be fold by ye faid Church wardens (after her time is expired that fhe ought by Law to Serve her maifter) for five years, and ye money fhe Shall be fold for divided as is before Appointed, & ye Child to Serve as aforefd.

And forafmuch as great inconveniencys may happen to this Country by ye Setting of Negroes and Mulattoes ffree, either by entertaining Negro Slaves from their Maft^rs Service, or receiving Stolen goods, or being grown old bringing a Charge on ye Country

for

for prevention whereof Bee it enacted by ye Authority aforesd and It is hereby enacted that no Negro or mulatto be after ye End of this p^r^sent Session of Assembly Sett ffree by any p^r^son or p^r^sons whatsoever unless Such p^r^son or p^r^sons their heirs Ex^rs^ or adm^rs^ pay for ye transportation of Such Negro or Negroes out of ye Country within Six moneths after Such Setting them free, upon penalty of paying ten pds *Sterl* to ye Church wardens of ye parish where Such p^r^son shall dwell with which money or So much thereof as shall be necessary ye said Churchwardens are to cause ye said Negro, or mulatto to be transported out of ye Country;

and ye remainder of ye said money to imploy to ye use of ye poor of ye parish.

May 19th 1691

By Order of Councill

W. Edwards Cl Gen^ll^ Assembl.

Wednesday May 20th 1691

MR *Hen Hartwell* &c wait upon ye Councill in ye Councill Chamber & present a peticon and addres to their most Sacred Ma^s^, and desire their Concurrence

Ordered that ye Clerk of ye Gen^ll^ Assembly carry ye foll message to ye house of Burgesses.

By ye hon^bl^e their Ma^s^ Councill

*M^r^* Speaker

Wee have taken into our consideracons ye peticon prepared to be presented to their Ma^s^ and ꝑpose that ye following alteracons be made therein, *vizt*

In ye 5th line of ye first side instead of ye word (Sheweth) be inserted in all humility present.

In ye 6th line of ye Second side instead of ye word, *many*, be inserted, holding their Lands from ye Crown & enjoying y^e^—

In ye 30th Line of ye Same Side, instead of ye words *there not being*, and so to ye bottom of that side be inserted, untill your Ma^s^ out of yor Princely goodness and Care of this your Dominion & ye Inhabitants hereof, were graciously pleased to order one hundred bar^ls^ of powder to be Sent into this Country for which your Ma^s^ gracious favo^r^ according to our bounden duties, we return our most humble thanks and now most humbly beseech your Ma^s^ to give Your Royal Comands that such part of yor Ma^s^ Revenue in this Your Dominion be applyed &c as in ye first line of ye 3^d^ Side.

And instead of ye Last Sect: that ye following be inserted, We further most humbly beseech your Ma^s^ that Gen^ll^ Assemblys be held at least once in two years, and oftener if occasion shall require to redress greivances and make laws for ye better Governm^t^ of this Dominion, and that your Ma^s^ would take ye Laws of this your Dominion into your Royal consideracons, and Such and so many of them to approve and confirm as in your princely goodness You shall think fitt, for ye good and well Settlement of this Governm^t^ and prosperity of ye Inhabitants thereof.

And wee propose that in ye addres to be presented to their most gracious Ma^s^, ye following amendm^t^ & addition be made, *vizt*

In ye 9th line ye words (the rest of) bee left out and that at ye End of ye sd Addres be added Your Ma^s^ most entirely Devoted Subjects.

Also we propose that ye Addres be Sign'd by ye Lt Govr Councill and every Burgess of your house and that ye peticon be Sign'd, by m^r^ Sec^ry^ *Cole* on behalf of ye Councill, and by You on behalf of Your house

May 20th 1691: By order of Councill

W. Edwards Cl Gen^ll^ Assembl

Mr *Henry Hartwell* &c wait upon ye Councill in ye Councill Chamber, with an humble Addres to be presented to their most Sacred Ma^s^ Setting forth ye Action of Capt *John Jennings* in *Lower Norfolk* County Court, & desire their concurrence.

M^r^

Mr *Chriſtopher Robinſon* &c wait upon ye Councill in ye Councill Chamber with an humble Addreſs to be preſented to their moſt Sacred Maſ which followeth and deſire their Concurrence, and alſo acquaint them that their houſe had made Choice of ye Reverd Mr *James Blair* to go for *England* & mannage ye Same, & deſired their Concurrence.

To their moſt Excellent Majtıes William *and* Mary *by ye grace of God of* England Scotland ffrance Ireland *and* Virginia *King & Queen defendrs of ye ffaith &c*

The humble Supplication of ye Genll Aſſembly of Virginia

Wee ye Lt Governr . . . . . [See J. of H. of B., p. 368.]

Ordered that ye Clerk of ye Genll Aſſembly carry ye following meſſages to ye houſe of Burgeſſes, & acquaint them that mr *Ebourne* and mr *Sclater* have been before ye Rt Honble ye Lt Govr & Council and acknowledged their Error in ye iſſuing ye warrant relateing to ye Eccleſiaſtical Court, & have received reproof, and alſo know of them if they deſire any further proceedings.

By ye Honble their Maſ Councill

Mr Speaker

In ye Addreſs reĉed from Your houſe to be preſented to their moſt Sacred Maſ Setting forth ye Action of Capt *John Jenings* Coñander of their Maſ Ship *Experiment* in *Lower Norfolk* County Court ye 7th day of this Inſtant, Wee propoſe that You conſider whether ye depoſiĉons make appear ye Seamen had one or more axes as is Set forth and if they do not that thoſe words be left out & yt inſtead of theſe words in ye 19th & 20th lines of ye 3d ſide (and deſired to be ꝑmitted to go aſhore) be put, And Capt *Jenings* not being on board his officers deſired to deliver him, and that ye words (deſperate and) in ye 26th line of ye aforeſd Side be left out, ye word *dangerous* being of an extent as is Suppoſed large enough, Alſo in ye Cloſe that inſtead of theſe words (receive Judgemt according to ye Laws of ye Land) be inſerted be dealt withal as Your Maſ in yor Princely wiſdomes ſhall think fitt.

And ye humble Supplication to be preſented to their Maſ for their Royal grant and Charter to Erect a Colledge in this Colony is approved, as alſo Your Choice of ye Reverend mr *James Blair* to preſent ye Same

May 20th 1691: By order of ye Councill

W Edwards Cl Genll Aſſembly

By ye honble their Maſ Councill

Mr Speaker

Wee propoſe that you agree with Some ꝑſon to repair ye Genll Court houſe, and to rail it in to keep it from thoſe indecencies it is now expoſed to & alſo that you Leavy & pay to mr *Henry Gauler* for Some Small matter done in ye Room where ye Genll Court is held by order of ye Rt honble ye Lt Governr and us, ye workmen being imployed by him & he having paid for ye plank and nailes with which ye ſame was done, and found ye workmen Diet.

May 20th 1691 By order of Councill

W Edwards Cl Genll Aſſembly

The Clerk of ye Genll Aſſembly returns from ye houſe of Burgeſſes, and reports that they are well ſatisfied with ye proceedings agt mr *Ebourne* & mr *Sclater* & humbly Submitt to ye ſame.

Mr *Chriſtopher Robinſon* &c wait upon ye Councill in ye Councill Chamber, and preſent a Bill for Leſſening ye Leavy by ye pol, & laying an Impoſition on Liquors.

A Bill appointing a Treaſurer, & alſo ye following anſwr to ye propoſall about ye repairing and railing in ye Genll Court houſe.

By ye houſe of Burgeſſes

May it pleaſe yor honr,

The houſe having reĉed your Honrs propoſal ffor them to agree with ſome ꝑſon to repair ye Genll Court houſe, and to Rail it in, make anſwer: That ye houſe being now upon

upon a concluſion of their buſineſs, and ye time too far Spent for them to make Such agreement humbly deſire ye R^t Honble Y^e Lt Govr & Yo^r Hon^rs will pleaſe to do therein as your Hon^rs ſhall think fitt, and ye houſe ſhall allow for ye Charge thereof.

May 20th 1691 *Teſt Peter Beverley* Cl of ye Houſe of Burgeſſes.

Mr *Chriſtopher Robinſon* &c wait upon ye Councill in ye Councill Chamber & preſent a propoſall for preſenting ye R^t Honble ye Lt Govr three hundred pds *Sterl* which was readily agreed to. and accordingly delivered his Hon^r, who anſwer'd that he gratefully reced ye good will of ye Councill and houſe of Burgeſſes, But could not teſtifie y^e ſame by accepting their preſent without ye leave of their Ma^s It being contrary to his Inſtruc-cons in that Caſe.

Ordered that *Willm Edwards* Clerk of ye Gen^ll Aſſembly carry ye following meſſage to ye houſe of Burgeſſes

By ye Honble their Ma^s Councill

Mr Speaker

Wee propoſe that ye following alteracons and additions be made in ye following Bills, *vizt*,

In ye Bill for leſſening ye Leavy by ye Poll & laying an Impoſition on Liquores, In ye 10th line of ye firſt ſide imediately after ye words, *Satisfied & paid*, be inſerted to their Ma^s their heirs & Succeſſo^rs to and for ye uſes intents and purpoſes hereafter mencoñd, and to and for no other uſe intent or purpoſe whatſoever

In ye 14th line of ye Second ſide inſtead of ye word, *fame*, be inſerted gall every cask did contain.

In ye Bill appointing a Treaſurer, in ye 17th & 18th lines of ye firſt ſide ye words, *this their Ma^s Dominion of* Virg^a, be left out, and ye following inſerted the revenue ariſeing by ye two before Specified acts, and that an additional clauſe be enterd declaring Who ſhall take ye bond to be given by ye aforeſd Treaſurer.

May 20th 1691 By order of ye Councill

W Edwards Cl Gen^ll Aſſembl

Thurſday May 21: 1691

MR *Wm Lewis* &c wait upon ye Councill in ye Councill Chamber, and acquaint them that their houſe had made Choice of *Jeffrey Jeffreys* Eſq^r to preſent ye humble Addreſs and peticon to their moſt gratious Ma^s and deſired their concurrence

Ordered that ye Clerk of ye Gen^ll Aſſembly go to ye houſe of Burgeſſes and acquaint them that ye Councill well approve of their Choice of *Jeffrey Jeffreys* Eſq^r, and that they deſire a conference with ſome members of their houſe in ye Councill Chamber, to find out ſome expedient for ye obtaining their Ma^s Leave for ye Lt Govr to accept ye Sum of 300£ *Sterl*

Mr *Chriſtop^r Robinſon* &c wait upon ye Councill in ye Council Chamber and acquaint them their houſe had propoſed that y^e ſum of two hundred pds *Sterl* be put into ye hands of ye Reverend *James Blair* towards his expences and Coſts in procuring a Charter for ye Erecting of ye Colledge, and that ye Same be paid to him by m^r Audit^r *Byrd* out of ye moneys now in his hands, raiſed by ye impoſition upon Liquors, and that y^e ſum of two hundred pds be paid to *Jeffrey Jeffreys* Eſq^r towards defraying ye Charge and expence of preſenting ye Addreſs and peticon to their Ma^s, and Solliciting and obtaining their Ma^s gratious and favrable Anſwer, and deſired their concurrence, Both which were readily agreed to.

Mr Sec^ry *Cole* reports from the Conference ye methods propoſed to Supplicate their Ma^s to give liberty to preſent ye R^t hon^ble ye Lt Govr with y^e ſum of three hundred pds *ſter*

Some

Some of ye houſe of Burgeſſes wait upon ye Councill in ye Councill Chamber, and deſire their concurrence in diſpoſing of y^r^ money raiſed from ye Impoſition upon Liquors, in ye hands of m^r^ Audit^r^ *Byrd*, And ye late m^r^ Audit^r^ *Bacon*, for ye eaſing ye Leavy ℔ poll, to which ye Councill gave their Aſſent. they alſo deſired that ye houſe might have liberty to give m^r^ *Edward Chilton* Clerk of one of their Comittes five pds for his extraordinary Services, out of it.

To which ye Councill Anſwer'd they would agree thereto provided their houſe would let *Wm Edwards* Clerk of ye Gen^ll^ Aſſembly have ye Like Sum who had well deſerved it.

Mr *Chriſtop^r^ Robinſon* &c wait upon ye Councill in ye Councill Chamber and deſired that m^r^ *Chilton* Clerk of one of their Comittees for his extraordinary Services may be allowed five pds *Sterl* out of ye money raiſed by ye Impoſition on Liquors to which ye Councill anſwer'd they Judged y^e^ ſaid *Chilton* had well deſerved ye allowance of five pds *Sterl*, and ſo had *Wm Edwards* their Clerk, and they were willing y^e^ ſaid *Chilton* ſhould be paid y^e^ ſame provided their houſe woud agree to pay y^e^ ſaid *Edwards* five pds for his extraordinary Service.

They alſo preſent ye following Addreſſes and peticoñ

*To ye King & Queens moſt Excellent Ma^s^*

The Humble Addreſs of Yo^r^ Ma^s^ Lt Govr Councill & Burgeſſes of ye Gen^ll^ Aſſembly of Virginia

Wee your Ma^s^ moſt dutifull . . . . . [See J. of H. of B., p. 370.]

*Virg^a^* *To their Moſt Sacred Ma^s^*

Wee your Ma^s^ moſt dutifull and Loyal Subjects Yo^r^ Lt Govr Councill and Burgeſſes of this Gen^ll^ Aſſembly now Aſſembled,

moſt humbly preſent

That whereas Your Ma^s^ . . . . . [See J. of H. of B., pp. 367-8.]

*To ye King and Queens moſt Excellent Ma^s^*

*May it pleaſe Yo^r^ Ma^s^*

The great worth . . . . . [See J. of H. of B., p. 373.]

*To ye King & Queens Maj^ties^*

The humble peticõn of Your Ma^s^ Councill and ye Burgeſſes of ye Gen^ll^ Aſſembly of Virginia

In all Humility Setteth forth

That being fully Aſſured . . . . . [See J. of H. of B., pp. 371-2.]

Ordered that *W. Edwards* Clerk of ye Gen^ll^ Aſſembly go to ye houſe of Burgeſſes and return them ye Severall Addreſſes and peticoñ to be preſented to their moſt gracious Maj^es^ and acquaint them that they approve of them, Alſo, that *Edward Hill* Eſq^r^ who was appointed Treaſurer of their Ma^s^ Revenue of this Country ariſing by Vertue of an Impoſicõn on Liquors Skins & ffurs had nominated *Henry Whiting* Eſq^r^ and *William Randolph* Gent Securities for his due ℔formance of y^e^ ſaid place or office which ye Councill approved and deſired their approbation that bond might be taken accordingly.

And y^e^ ſaid *Edwards* having ℔form'd y^e^ ſame return'd Anſwer that they well approved ye Sec^ry^ preſented by Coll *Edward Hill*, and deſired that bond might be taken and Lodged in ye Sec^rs^ Office. *It is therefore Ordered* by ye R^t^ Honble ye Lt Govr and Councill that *W. Edwards* Clerk of ye Councill prepare a bond to be ſign'd in Councill and regiſter y^e^ ſame in the Sec^rs^ Office after Signing thereof.

Some of ye Houſe of Burgeſſes wait upon ye Councill in ye Councill Chamber and preſent, the Inſtrucõns to be given to ye Reverend m^r^ *James Blair* for ye Solliciting ye buiſneſs of ye Colledge, and deſired their Approbacõn.

Ordered that ye Clerk of ye Gen^ll^ Aſſembly carry ye following meſſage to ye houſe of Burgeſſes

By

By ye hon^ble their Ma^s Councill

Mr Speaker

Having conſidered ye Inſtrucc̃ons to Mr *James Blair* Comiſſary &c.

We propoſe that ye third Inſtrucc̃on be *Viz^t* You ſhall as ſoon as you arrive in *England* make your application to his Excell^cy *ffrancis* Lord *Howard* of *Effingham* their Ma^s Lieut & Govr Gen^ll of *Virginia* if he be there and acquaint his Lord^p with ye Addreſs, and deſire his Lord^ps Aſſiſtance in promoteing ye Same.

And that ye third Article be made ye fourth & ſo on,

Alſo in ye 22^d, and 23^d articles his Exc^ly ought to be named one of ye p̃ſons

May 21: 1691: By order of Councill

W. Edwards Cl Genl Aſſembly

---

ffryday May 22: 1691

MR *Robert Carter* &c wait upon ye Councill in ye Councill Chamber and preſent a Letter and Inſtrucc̃ons to be Sent to *Jeffrey Jeffreys* Eſq^r and deſire their Concurrence,

Order'd that ye Clerk of ye Gen^ll Aſſembly carry ye following meſſages to ye houſe of Burgeſſes,

By ye Honble their Ma^s Councill

Mr Speaker

Having conſidered ye Letter to be Sent to *Jeffrey Jeffreys* Eſq^r propoſe ye following amendments *Viz^t*

That ye 17th 18: 19: & 20: lines & ye words *under you* in ye 21^ſt be left out and ye following inſerted,—makeing uſe of ye beſt means to preſent to their Sacred Ma^s One Congratulatory Addreſs Sign'd by ye R^t Honble their Ma^s Lieu^t Govr and Councill and Burgeſſes of ye Gen^ll Aſſembl another Addreſs ſign'd as ye other about Capt *Jennings* Com̃and^r of their Ma^s Ship *Experiment*, alſo an humble Addreſs to their Ma^s Sign'd by m^r Sec^ry *Cole* by order of ye Councill and Coll *Thomas Milner* Speaker about ye Lt Govr and Humble Supplication of ye Councill and Burgeſſes Sign'd by m^r Sec^ry *Cole* by order of ye Councill and ye Speaker, which are herewith Sent you, as alſo that you wou'd by Your Self or Such p̃ſon or p̃ſons as you ſhall Imploy under you.

And that inſtead of ye words (we promiſe & oblidge) in ye 22th line of ye Second Side and all ye reſt of that Side, be inſerted there is care taken by ye Aſſembly that upon ye firſt notice from you what money you ſhall So diſburſe more then ye two hundred pds ſhall be preſently repaid you as appears by ye Incloſed order of Aſſembly.

May 22th 1691: By order of Councill

W. Edwards Cl Gen^ll Aſſemb:

By their Ma^s Councill

Mr Speaker

Having conſider'd ye Inſtrucc̃ons to be Sent to *Jeffrey Jeffreys* Eſq^r Send you ye following Anſwer, *vizt*

In ye 2^d Inſtrucc̃on inſtead of ye words (ye humble Addreſſes and petic̃ons of this Gen^ll Aſſembly) be inſerted one congratulatory addreſs Sign'd by ye R^t Honble their Ma^s Lieu^t Govr Councill and Burgeſſes of ye Gen^ll Aſſembly, Another Addreſs ſign'd as ye other about Capt *Jennings* Command^r of their Ma^s ſhip *Experiment*, Alſo an humble Addreſs to their Ma^s Sign'd by m^r Sec^ry *Cole* by order of ye Councill and Coll *Thomas Milner* Speaker about ye Lt Govr & an humble Supplication of ye Councill and Burgeſſes Sign'd by m^r Sec^ly *Cole* by order of ye Councill and ye Speaker which are herewith Sent you,

The 5th 6, 7 & 9th Inſtrucc̃ons we cañot Joyn in,

In ye 11th wee agree that he ſhall indeavo^r to get a Clauſe in ye Charter that ye Inhabitants of this Dominion ſhall have an Iñediate dependance on ye Crown of *England*, but not menc̃on any thing of ye incorporating.

In

In ye 12th ye word Govern^r being left out wee agree to ye Reſt.

In ye 14th inſtead of ye words *theſe and all other affairs that may concern this Dominion* we propoſe may be put ye Addreſſes and peticons herewith Sent

May 22^d 1691 By order of ye Councill

W. Edwards Cl Gen^ll Aſſembly

Mr *Chriſtopher Robinſon* &c wait upon ye Councill in ye Councill Chamber and preſent an acco^t of ye proportioning and ordering of ye money in ye hands of m^r Aud^r *Bacon* and m^r Audito^r *Byrd* raiſed from ye Impoſic̃on upon Liquors, and a bill for raiſing a publick Leavy, and deſired their concurrence.

Ordered that ye Clerk of ye Gen^ll Aſſembly go to ye houſe of Burgeſſes and acquaint them that ye accout of ye proportioning and ordering of ye money &c

And ye bill for raiſing a publick Leavy are agreed to.

Capt *Ball* &c wait upon ye Councill in ye Councill Chamber and preſent a reſolve of ye houſe for m^r *James Blair* to be impowerd to take up moneys in *England* on Credit not exceeding two hundred pds *Sterl.*

Alſo a Reſolve of their houſe for ye reimburſing *Jeffrey Jeffreys* Eſq^r Such Sum̃ or Sum̃s of money as he ſhall diſburſe in or about Solliciting Severall addreſſes and a petic̃on to their Ma^s &c out of ye moneys firſt ariſing from ye Impoſic̃on laid upon Liquors this Aſſembly,

Order'd that ye Clerk of ye Gen^ll Aſſembly return ye two afores'd reſolves to ye houſe of Burgeſſes—aſſented to

Ordered that ye Clerk of ye Gen^ll Aſſembly go to ye houſe of Burgeſſes and acquaint them that ye R^t Honble ye Lt Govr and Councill Com̃and their Attendance in ye Gen^ll Court houſe forthwith where they being Come ye Severall Laws made this aſſembly were publiſhed, and Sign'd by ye R^t Honble ye Lieu^t Govern^r and Speaker and ye Lt Govr prorogued ye Aſſembly to ye firſt day of *Aprill* next.

Cop^a Vera

Teſt W. Edwards Cl Gen^ll Aſſ^bly

157-158

ATT A

GENERALL ASSEMBLY

begun at *James Citty Aprill* the 16th in the third yeare of the Reigne of Our Soveraigne Lord and Lady *William* and *Mary* King and Queen of *England Scotland France Ireland Virg*a Defendrs of the Faith *Annoq*3 *Dom:* 1691, and thence Prorogued to the firſt day of *Aprill* in the 4th yeare of the Reigne of Our Said Soveraigne Lord and Lady *William* and *Mary* King and Queene &c *Annoq*3 *Dom* 1692

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1407, pp. 783-834.]

Att a Generall Aſſembly begun at *James Citty Aprill* the 16th in the third yeare of the Reigne of Our Soveraigne Lord and Lady *William* and *Mary* King and Queen of *England Scotland France Ireland Virga* Defendrs of the Faith *Annoq*$_3$ *Dom:* 1691, and thence Prorogued to the firſt day of *Aprill* in the 4th yeare of the Reigne of Our Said Soveraigne Lord and Lady *William* and *Mary* King and Queene &c *Annoq*$_3$ *Dom* 1692

[*April* 1ſt, 1692]

Preſent

THE Rt Honoble *Francis Nicholſon* Eſqre their Mas Lievt Govr of *Virginia*, *William Cole* Eſqre Sec., *William Byrd* Eſqre, *John Lear* Eſqre, *Cr Wormeley* Eſqre, *Henry Whiting* Eſqre, *Edmund Jenings* Eſqre

---

Aprill 2d 1692

MR *Henry Hartwell* &c. waite upon the Rt Honoble the Lievt Govr and Councill, and deſire that Councill may be aſſigned to ſweare the New-Elected Members of their Houſe, and accordingly *Wm Byrd* Eſqre and *Henry Whiting* Eſqre were appointed and Comiſſionated to Adminiſter to the Members of the Houſe of Burgeſſes who were not already Sworne, the Oaths by Law appointed to be taken, inſtead of the Oaths of Allegiance and Supremacy, and the Oath of a Burgeſs.

Aprill the 5th 1692

CAPT *William Robinſon* &c waites on the Rt Honoble the Lievt Govr and acquaints him the Houſe of Burgeſſes requeſts that he would iſſue out a New Writt for the Election of another Burgeſs for *Elizabeth Citty* County in the Roome and place of Mr *Willis Wilſon* who was uncapable to Serve as a Member of this Aſſembly being under the Age of one and twenty yeares.

And accordingly a New Writt was iſſued.

Aprill the 6th 1692

THE Rt Honoble the Lievt Govr thrô his Indiſpoſition of Body being uncapable of Expreſſing himſelfe to the Houſe of Burgeſſes, *It is reſolved* that Mr Secret. *Cole* read his Honors Speech to them in the Courthouſe, And *Ordered* that the Clerke of the Genll Aſſembly waite on the Houſe of Burgeſſes and acquaint them that the Lievt Govr required their Immediate Attendance on the Councill in the Court-houſe, where the Councill being come, and the Houſe of Burgeſſes giveing their Attendance, Mr Secret: *Cole* acquainted them, the reaſon of the Rt Honoble the Lievt Govrs abſence, and then read the following Speech

Gent.

God by his Divine Providence . . . . . [See J. of H. of B., 1659/60-93, p. 384.]

The

The Clerke of the Genᴵˡ Aſſembly by the Coñand of the Lievt Govʳ and Councill publiſhed a Comiſſion from the Rᵗ Honoᵇˡᵉ the Comiſſionʳˢ of their Maᵃ Cuſtomes appointing *Edward Randolph* Eſqʳᵉ Surveyʳ Genᴵˡ of their Maᵃ Cuſtomes in the North part of *America*, and a letter from them to give him all Juſt and Needfull Aſſiſtance.

After which Mʳ *Speaker* moved that the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳ would favour their Houſe with a Copy of his Speech, and then the Councill returned to the Councill Chamber.

Ordered that the Clerke of the Genᴵˡ Aſſembly Carry a Copy of the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳˢ Speech to the Houſe of Burgeſſes, and an accoᵗ of the Stores and Powder ſent into this Colony, by their Maᵃ for the defence of the Countrey, that they may See how bountifull their Maᵃ have been, as alſo that he deliver Capᵗ *Norringtons* Letter about the ſame, and deſire them to be as Expeditious in their Reſolve about the Powder as poſſible, And alſo that he deliver to them his Moſt Sacred Maᵃ Leave to the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳ to accept the three hundred pounds he was preſented with the laſt Genᴵˡ Aſſembly, and *Jeffrey Jeffreys* Eſqʳᵉ his Letter relating to the tranſactions of the laſt Aſſembly

---

Aprill 8th 1692

LIEVᵀ Coll *Law: Smith* &c waite upon the Councill and pʳſent the following Meſſage

Aprill the 8th 1692

By the Houſe of Burgeſſes

Reſolved that it is the Duty . . . . . [See J. of H. of B., p. 385.]

Ordered that the Clk of the Genᴵˡ Aſſembly carry the following anſwer to the Houſe of Burgeſſes

Aprill 8th 1692

By the Honoᵇˡᵉ their Maᵗˢ Councill

Upon Reading a Meſſage from the Houſe of Burgeſſes, that the Councill would Joyn with them in an addreſs to the Lievᵗ Govʳ to appoint a day for a publick thanksgiving in *James Citty* to return hearty and unfeigned thanks to Almighty God for the preſervation of their Maᵃ Moſt Sacred perſons in the late eminent hazards and dangers thereof, and for the Succeſs of his Maᵃ Armes againſt the Enemies of Our Nation and Religion, and alſo to make humble and ſenſible acknowledgmᵗˢ of that Peace and Quietneſs this Country doth at pʳſent enjoy thrô the unſpeakeable goodneſs and Mercy of God towards us in particular, and to appoint a Miniſter to preach before the Genᴵˡ Aſſembly, alſo to appoint another day to Solemniſe the ſame thrô the whole Country.

The Councill moſt readily Concurrs with the Houſe of Burgeſſes in the ſaid Addreſs, and are ready to Joyn with ſuch Members as ſhall be appointed by the Houſe of Burgeſſes to waite on the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳ to deſire him to doe the ſame.

Teſt W. Edwards Cl Genᴵˡ Affᵇʸ

Some of the Houſe of Burgeſſes waite upon the Councill and with them Joyn in Supplicating the Rᵗ Honoᵇˡᵉ the Lieᵗ Govʳ to appoint the days for the publick thanksgiving, who accordingly Ordered that the ſame be performed by the Genᴵˡ Aſſembly and Inhabitants of *James Citty* on *thurſday* the 14th of this Inſtant, and by the whole Country on *thurſday* the 28th day of this Moneth, and that Proclamations be accordingly prepared that publick Notice thereof may be given thrô the Country.

Aprill 9th 1692

CAPT *Iſaac Townſend* Coñandʳ of their Maᵃ Ship *Aſſureance* and Coñodore of the Fleete from *London* declaring he is Ordered to ſtay but ſixty days after his Arrivall, *It is Ordered* that the Clerke of the Generall Aſſembly acquaint the Houſe of Burgeſſes therewith that they may prepare themſelves both in reſpect of the Genᴵˡ Aſſembly and their private affaires accordingly—

The

The Clerke of the Gen[ll] Aſſembly returns with anſwere that the Houſe of Burgeſſes returned their hearty thanks for this favour

M[r] *C[r] Robinſon* &c waite upon the Councill and deſire that they will Joyne with them in preſenting the following Addreſs to the R[t] Hono[ble] the Liev[t] Gov[r] *viz[t]*

To the R[t] Hono[ble] Francis Nicholſon *Eſq[re] their Ma[s] Liev[t] Gov[r] of* Virginia.

May it pleaſe yo[r] Hono[r]

Wee being acquainted . . . . . [See J. of H. of B., pp. 387-8.]

To which the Councill Anſwered they would Conſider thereof, and return them an anſwere.

Aprill 11th 1692

ORDERED that the Clerke of the Gen[ll] Aſſembly Carry the following Anſwere to the R[t] Worp[ll] the Houſe of Burgeſſes

Aprill 11th 1692

By the Hono[ble] their Ma[s] Councill

M[r] Speaker

Having late on *Saterday* night received a Meſſage from the Houſe of Burgeſſes that wee would Joyn in preſenting to the R[t] Hono[ble] their Ma[s] Liev[t] Gov[r] the Addreſs ſent us, that if poſſible a longer time may be appointed for the Fleetes Staying in this Country, And the ſame being for their Ma[s] Service wee ſhall moſt readilye doe it, but Judge it very requiſite the following reaſons be added *viz[t]* that the Fleete hath been three Weekes acomeing in, and are not all yet arrived, and Some of them that are not got to the places they are to Load at, that there is great Want of Sloopes, the great ones having been fitted and Sent for *England* with Tob[o], and thoſe that belong to the Ships which were here two yeares agoe, are almoſt Spoiled, ſoe that it will be a Conſiderable time before they can be made Serviceable, and the Ships Rideing in Severall Rivers at great diſtance from one another, It is oftentimes a fortnight or longer before they can get to the place of makeing up the Fleete to Sayle, for that Severall Winds are required to carry them thither, And it is preſumed in *Maryland* the like Inconveniencies are, if not Worſe.

Signed by Order of their Ma[s] Councill

W. Edwards Cl Gen[ll] Aſſ[ly]

M[r] *C[r] Robinſon* &c waite upon the Councill, and acquaint them that the Houſe of Burgeſſes having Entered the Addreſs to be preſented to the R[t] Hono[ble] the Liev[t] Gov[r] to procure if poſſible a longer time for the Ships Staying in the Country in their Journall, and the particuler reaſons mentioned by their Hono[rs] being in Gen[ll] termes contained in the ſaid Addreſs, moved that they would Joyn in preſenting it, as it was, without the Addition propoſed, to which the Councill Anſwered, that thô the Addreſs were Entered in the Journall of the Houſe of Burgeſſes, what was propoſed was onely an Addition to the ſaid Addreſs, which was very uſuall to be made, and were therefore of Opinion it was Neceſſary for the fuller Manifeſtation of the reaſons for the Ships ſtay that it ſhould be added, to which the ſaid *Robinſon* Anſwered he would report the ſame to the Houſe of Burgeſſes.

And then acquainted the Councill the Houſe of Burgeſſes deſired they would Joyn in with ſome Members of their Houſe to Conſider the beſt way to diſpoſe of the Powder ſent by their Ma[s], and Cheapeſt way of Conveyance, to which the Councill Anſwered they would willingly doe it, and appointed tomorrow in the Evening for the doeing thereof.

And then further acquainted the Councill the Houſe of Burgeſſes deſired they would Joyn with ſome Members of their Houſe to Conſider An Amendment in the Writts for the meeting of the Burgeſſes upon Adjourned or Prorogued Aſſemblies, to be preſented to the R[t] Hono[ble] the Liev[t] Gov[r] to which the Councill Anſwered they would readily Joyn in the Conſideration thereof.

Aprill

Aprill 12th 1692

MR *Cr Robinſon* &c waites upon the Councill and delivers them the Addreſs with the Addition propoſed to be preſented to the Rt Honoble the Lievt Govr about the Ships ſtaying longer in the Country then the Comodore declared he had Ordre for, and the ſame being Signed, By Ordr of the Councill *William Cole* Sec: for the Burgeſſes *Tho: Milner*, was by the Councill and Burgeſſes who brought it preſented to the Rt Honoble the Lievt Govr; to which His Honor anſwered that well knowing what was deſired, was for their Mas and this Countrys Service, he would doe what he could therein

Lionell Copley Eſqre Capt Genll and Govr in Chief of *Maryland* having deſired the Rt Honoble their Mas Lievt Govr to lend that Government fifty barrells of Powder, and there being noe Powder in this Colony but that Sent in by their Mas for the uſe of this Countrey, the diſpoſeing whereof is recomended to the Houſe of Burgeſſes.

It is Ordered that the Clerke of the Genll Aſſembly Carry the ſaid Letter to them, and deſire their Opinion what Quantity may conveniently be Spared.

Mr *Cr Robinſon* &c. waite upon the Councill to Conſider the Amendment propoſed in the Writt for the meeting of the Burgeſſes upon Prorogued or Adjourned Aſſemblies, and propoſeing that the Clauſe in the Writts comanding the Sheriffs to cauſe to be Elected Burgeſſes in the places of thoſe that ſhould be dead abſent or otherwaies incapacitated, ſhould be left out, for by them the Sheriffs were made Judges of the Capacity of perſons to Serve in the ſaid Aſſemblies, and the Councill having Conſidered the ſame were of Opinion that, that Clauſe was abſolutely Neceſſary, for if it were Omitted then noe new Burgeſs could be Elected till the Houſe of Burgeſſes mett and deſired Writts for the doeing thereof, which would Occaſion a very great delay of Buſineſs, and thereby put the Country to an Exceſſive Charge, nor was the Sherriffe Judge as was alleadged, for the Cuſtome and practice of the Country all along hath been that if any perſon who was a Burgeſs at the Adjournmt or Porogation of the Aſſembly ſhould be dead out of the Country or made Sheriffe another was to be Elected in his place, and the Sheriffe was onely the Officer to See the ſame done, but when the Houſe of Burgeſſes ſhould Serve without pay, the Motion might be reaſonable

---

Aprill 13th 1692

JOHN CUSTIS Eſqre added.

Mr *Benja: Harriſon* &c waites upon the Rt Honoble the Lievt Govr and Councill and acquaints them that the Houſe of Burgeſſes agreed his Excy *Lionell Copley* Eſqre Capt Genll and Govr in Chiefe of *Maryland* ſhould be Supplyed with twenty five barrels of Powder provided he gives ſuch Caution as the Rt Honoble the Lievt Govr ſhould think fitt, to return it in ſuch time and at Such place as his Honor ſhall appoint, and deſired that his Honor and the Honoble Councill would Joyn with them in proportioning the remainder of the Powder, and Conſidering the Cheapeſt way of Conveyance, which was accordingly done thus.

Aprill 13th 1692

An acco: of the diſpoſall of the two hundred barrells of Powder Sent into this Colony by their Moſt Gracious Mas *viz*t.

	barrlls
To his Excy Coll *Copley* to be returned	25
to *Yorke* Fort	6
to *James* Fort	6
to *Nanſimond* Fort	3
to *Rappa* Fort	3
to *Henrico* County	6
to *Charles Citty* County	6
to *Surry* County	6

to

Aprill 12th 1692

MR *Cr Robinſon* &c waites upon the Councill and delivers them the Addreſs with the Addition propoſed to be preſented to the Rt Honoble the Lievt Govr about the Ships ſtaying longer in the Country then the Comodore declared he had Ordrs for, and the ſame being Signed, By Ordr of the Councill *William Cole* Sec: for the Burgeſſes *Tho: Milner*, was by the Councill and Burgeſſes who brought it preſented to the Rt Honoble the Lievt Govr; to which His Honor anſwered that well knowing what was deſired, was for their Mas and this Countrys Service, he would doe what he could therein

Lionell Copley Eſqre Capt Genll and Govr in Chief of *Maryland* having deſired the Rt Honoble their Mas Lievt Govr to lend that Government fifty barrells of Powder, and there being noe Powder in this Colony but that Sent in by their Mas for the uſe of this Countrey, the diſpoſeing whereof is recomended to the Houſe of Burgeſſes.

It is Ordered that the Clerke of the Genll Aſſembly Carry the ſaid Letter to them, and deſire their Opinion what Quantity may conveniently be Spared.

Mr *Cr Robinſon* &c. waite upon the Councill to Conſider the Amendment propoſed in the Writt for the meeting of the Burgeſſes upon Prorogued or Adjourned Aſſemblies, and propoſeing that the Clauſe in the Writts comanding the Sheriffs to cauſe to be Elected Burgeſſes in the places of thoſe that ſhould be dead abſent or otherwaies incapacitated, ſhould be left out, for by them the Sheriffs were made Judges of the Capacity of perſons to Serve in the ſaid Aſſemblies, and the Councill having Conſidered the ſame were of Opinion that, that Clauſe was abſolutely Neceſſary, for if it were Omitted then noe new Burgeſs could be Elected till the Houſe of Burgeſſes mett and deſired Writts for the doeing thereof, which would Occaſion a very great delay of Buſineſs, and thereby put the Country to an Exceſſive Charge, nor was the Sherriffe Judge as was alleadged, for the Cuſtome and practice of the Country all along hath been that if any perſon who was a Burgeſs at the Adjournmt or Porogation of the Aſſembly ſhould be dead out of the Country or made Sheriffe another was to be Elected in his place, and the Sheriffe was onely the Officer to See the ſame done, but when the Houſe of Burgeſſes ſhould Serve without pay, the Motion might be reaſonable

---

Aprill 13th 1692

JOHN CUSTIS Eſqre added.

Mr *Benja: Harriſon* &c waites upon the Rt Honoble the Lievt Govr and Councill and acquaints them that the Houſe of Burgeſſes agreed his Excy *Lionell Copley* Eſqre Capt Genll and Govr in Chiefe of *Maryland* ſhould be Supplyed with twenty five barrels of Powder provided he gives ſuch Caution as the Rt Honoble the Lievt Govr ſhould think fitt, to return it in ſuch time and at Such place as his Honor ſhall appoint, and deſired that his Honor and the Honoble Councill would Joyn with them in proportioning the remainder of the Powder, and Conſidering the Cheapeſt way of Conveyance, which was accordingly done thus.

Aprill 13th 1692

An acco: of the diſpoſall of the two hundred barrells of Powder Sent into this Colony by their Moſt Gracious Mas *viz*t.

	barrlls
To his Excy Coll *Copley* to be returned	25
to *Yorke* Fort	6
to *James* Fort	6
to *Nanſimond* Fort	3
to *Rappa* Fort	3
to *Henrico* County	6
to *Charles Citty* County	6
to *Surry* County	6

to

to *James Citty* County	4
to *Iſle* of *wight* County	6
to *Nanſimond* County	6
to *Norfolk* County	5
to *Princeſs Ann* County	6
to *Eliz[a] Citty* County	6
to *Warwick* County	4
to *Yorke* County	6
to *New Kent* County	6
to *King* and *Queene* County	8
to *Glocester* County	8
to *Midd[x]* County	5
to *Rapp[a]* County	12
to *Lancaſter* County	6
to *Northumberland* County	6
to *Weſtm[r]land* County	5
to *Stafford* County	8
to *Accomack* County	6
to *Northampton* County	6
to the Rangers	20
	200

And that four Sloopes ſhould be Imployed to Carry the ſaid Powder unto the ſeverall places herein appointed *viz[t]* one Sloope to each River

Ordered that the Clerke of the Gen[ll] Aſſembly Carry the following Meſſages to the R[t] Worp[ll] the Houſe of Burgeſſes *viz[t]*

By the R[t] Hono[bl]e the Liev[t] Gov[r] and Councill

M[r] Speaker

Takeing into Our Serious Conſideration the Peace and Safety of this their Ma[s] Moſt Ancient Dominion of *Virg[a]*, and the Eaſieſt and moſt likely way to maintaine the ſame with as little Charge as poſſible, and finding that beſides the Continuance of ſome Men in Armes this enſueing yeare, it will be of very great Moment to have a true account of the Condition of Our Neighbouring Plantations eſpecially *New Yorke* and *New England*, and whether there be any danger of their Ma[s] Enemies the *French* or Indians makeing any Conſiderable Attacks upon thoſe Governments, that Such Methods may be taken as ſhall be found moſt for their Ma[s] Service and Security of the Inhabitants of this Colony, and conceiveing the onely way to Effect the ſame will be by writeing to thoſe Governments by a Meſſenger to be Sent on purpoſe, that by him wee may not faile to receive Satisfaction as well by his obſervations, as lett[rs], doe therefore propoſe that the Houſe of Burgeſſes will take the ſame into their Serious Conſideration, and if they Concur in Judgment with us, Doe Nominate *John Perry* as a fitt perſon to be Imployed in the ſaid Service, he being a perſon well acquainted with the way, and will be Content to ſtay at *New Yorke* or *New England* on Eaſie termes (which wee deſire ſome of the Houſe of Burgeſſes may be appointed with ſome of the Councill to agree with him for) untill the fall unleſs for their Ma[s] and this Countrys Service it ſhall by thoſe Gov[r]ments or one of them be found fitt to ſend him ſooner.

Aprill 13[th] 1692 By Ord[r] of the Liev[t] Gov[r] & Councill

W Edwards Cl Gen[ll] Aſſ[ly]

By the R[t] Hono[bl]e the Liev[t] Gov[r]

M[r] Speaker

Having Omitted the Cauſeing the line to be Runn on the Southſide of *James* River, and from *James* River to *Rapp[a]* River as by an Act of the laſt Gen[ll] Aſſembly was appointed, doe Signifye my reaſons for the ſame *viz[t] Rapp[a]* River being much higher Seated then *Mattapany* or *Pomunky* Rivers, and if a way ſhould be made as was directed,

it

it muſt be an oblique one, and very ill Convenient to be done, and having great hopes their moſt Sacred Ma^{s} will be graciouſly pleaſed to give liberty that the Lands in *Pomunky* Neck may be granted the Inhabitants of this Colony, am of Opinion that it is for their Ma^{s} Service and good of this Country to forbeare makeing the ſaid Way,

And for that I had ſome reaſon to beleive, as I yet have, that their Ma^{s} will be graciouſly pleaſed to Order the line between this Government and that of *North Carolina* to be Ruñ, I Omitted the Cauſeing the lines on the South ſide *James* River to be done leaſt thereby I ſhould ſeeme to Conclude our Clame to any further bounds, And to the End it might be known whereabouts the bounds of their Second Grant would be that if the ſame ſhould be found to take away from this Government any Conſiderable quantity of Lands or Inhabitants, the beſt Methods poſſible may be taken to prevent and hinder the ſame, I have Imployed Coll *Thomas Milner*, who hath been at great trouble in findeing out thereof, and hath prepared a Draught which ſhall be Sent you, and for his ſoe doeing, it is moſt Juſt and reaſonable that he be well rewarded,

And I Cannot forbeare acquainting you (it being for their Ma^{s} and this Countrys Service) that in my travells thrô the Country I have obſerved great quantityes of Lands have formerly been granted ſeverall people at the heads of the Rivers, on which they have onely built ſome little Hovels not fitt to beare the Names of Houſes, and made noe other Improvement thereon, whereby Many perſons are hindered takeing up the ſame (and forced to leave the Country) who would live thereon, and thereby be ſome Security at leaſt in time of Warr by giveing an account of any Skulking Indian Rogues or other Enemies, And as Since I came into this Country findeing the ill conveniency that accrued thereby, I have Indeavoured to prevent the ſame, ſo I deſire you to Conſider (ſince many of thoſe who hold the ſaid great tracts of Land on the Frontiers have not Seated them with four able hands as the Law directs) what will be beſt to be done therein for their Ma^{s} and this Countrys Service,

And I further acquaint you that wee ſhould have reĉed a very Gracious Anſwere about the *Northern Neck*, had not very great Opoſition been made againſt what was propoſed and their Moſt Sacred Ma^{s} have been Graciouſly pleaſed to tranſmitt to this Government an account of what hath been Offered againſt it, and I doubt not but myſelfe and their Ma^{s} Councill ſhall give their Ma^{s} full Satisfaction therein, And if their Ma^{s} ſhall be pleaſed to take or procure the ſaid Neck, then it will be Convenient to have a line Runn from *Rapp^{a}* to *Potomack* River.

Aprill 13th 1692 *ffr. Nicholſon*

Aprill 14th 1692

MR *William Lewis* &c waite upon the R^{t} Hono^{ble} the Liev^{t} Govr and Councill and preſent the following Anſwer to the Meſſage Sent about *John Perry*.

To the R^{t} Hono^{bl} Francis Nicholſon *Eſq^{r} their Ma^{s} Liev^{t} Govr of* Virg^{a} *and to the Hono^{bl} Councill of State*

May it pleaſe yor Hono^{rs}

This Houſe having received . . . . . [See J. of H. of B., p. 393.]

Aprill 15th 1692

ORDERED that the Clerke of the Gen^{ll} Aſſembly Carry the following Meſſage to the Houſe of Burgeſſes.

By the R^{t} Hono^{bl} the Liev^{t} Govr & Council

Mr Speaker

Having taken into Conſideration the extreame Wants and hardſhips many of the Inhabitants of this Colony ſuffered the laſt Winter for want of the uſuall Supply of goods from *England* which was Occaſioned for that the Ships did not Saile at the uſuall time ſoe that the directions and Ord^{rs} for goods could not be Sent, and to the End the ſame for the future may be prevented and all tranſactions of Moment repreſented to their Moſt Sacred

Sacred Maᵗᵉ, *It is Ordered* that five Ships be permitted to Sayle for *England* by the 10ᵗʰ day of *May* next, which is hereby ſignified to the Rᵗ Worpᵗˡ the Houſe of Burgeſſes, that the ſame being made publick all perſons may Act therein as they ſhall ſee fitt

Aprill 15ᵗʰ 1692 By Order of the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳ and Councill

W Edwards Cl Genᵗˡ Affᵇʸ

By the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳ and Councill

Mʳ Speaker

Having received an anſwer . . . . . [See J. of H. of B., p. 395.]

Mʳ *William Lewis* &c waite upon the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳ & Councill, and acquaint them they are Ordᵈ by the Houſe of Burgeſſes to return their Honorˢ the humble thanks of the whole Houſe for the great Care taken in Sending Ships for *England* that the Inhabitants may have a Conveniency to Send for Goods, and for giveing their Houſe a particular account thereof

---

Aprill 16ᵗʰ 1692

RALPH WORMELEY Eſqʳᵉ added.

Some of the Houſe of Burgeſſes waite upon the Councill and preſent the Claimes made this Aſſembly for their Concurrence.

Aprill 18ᵗʰ 1692

MAJOR *Charles Scarburgh* &c waite upon the Councill and preſents the following Meſſage

Aprill 16ᵗʰ 1692

By the Houſe of Burgeſſes

The Houſe takeing into Conſideration . . . . . [See J. of H. of B., p. 396.]

The Councill acquainted the Gentⁿ that brought this Meſſage they would Conſider thereof and give them their Anſwer thereto

---

Aprill 19ᵗʰ 1692

JNO CUSTIS Eſqʳᵉ abſent

Ordered that the Clerke of the Genᵗˡ Aſſembly Carry the following Meſſage to the Houſe of Burgeſſes.

By the Honoᵇˡᵉ their Maᵗˢ Councill

In reading the Allowance to *William King*, where it is ſaid for himſelfe and Horſe five days with Coll *Tho Milner* when makeing obſervation of the Limitts of the Province of *Carolina* on his Government (according to the latter Grant to the Lords Propriᵉᵗʳˢ) by Order of the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳ and Councill finde you are Miſtaken, for the ſaid Coll *Milner* was onely Imployed to diſcover where the line of the Propriᵉᵗʳˢ of *North Carolina* their pretended latter Grant would Ruñ, but it not being known to us they have any Such Grant, propoſe that the Word pretended be put before the word Grant in the 3ᵈ line of the Claime.

As to the Claim of mʳ *Henry Royall*, for three Horſes two days Impreſt to Carry the Rᵗ Honoᵇˡᵉ the Lievᵗ Govʳ to Coll *Cole* &c. by you not allowed, have enquired of his Honoʳ about it, and he declares he hath alwaies paid for the Horſes he hath made uſe of.

That part of the Claim of *Geo: Anderſon* for two days Carrying Lettʳˢ to Coll *Rich: Johnſon* from the Honoᵇˡᵉ *Ralph Wormeley* Eſqʳᵉ, conceived to be noe Country Charge by you, the ſaid *Ralph Wormeley* Eſqʳᵉ declaring it was to Carry Ordʳˢ about the Militia, is conceived to be a Country Charge and therefore ought to be allowed

Part of the Claim of *William Byrd* Eſqʳᵉ *viz* Nine pds. that is ſix pds paid mʳ *Loyd* Preſident of *Penſilvania* was by the ſaid *Loyd* paid for the Redemption of An *Appamatuck* Indian, which by this Governmᵗ he was deſired to doe, and to Send him, for which

which the three pds to the Meſſenger that brought him was paid, and by Order of the Rt Honoble the Lievt Govr and Councill was promiſed ſhould be paid, and the ſame being done to Secure the Peace of the Country, there is noe queſtion but it is a Country Charge, and therefore ought to be allowed, and the reſt of the Claim being for Mony paid to Meſſengers, which not being proved as the late Act directs, wee propoſe that, that part of the Claime ſtand refferred for ſuch prooffe till the next Aſſembly.

The Claim of mr *James Williams* and *Charles Moreland* for drawing four hundred and four Comiſſions for the Militia, for which noe allowance is made by you Wee again recomend to yor Conſideration with the following Reaſons *viz*t that ſome time Since they were paid for by the Severall perſons who had them, for which reaſon many Worthy Gentn then refuſed them, and there was a Neceſſity of appointing others, perhaps not ſoe fittly quallified, which it is preſumed gave ſome diſſatisfaction as well to thoſe who before bore Comand, as thoſe Comanded, and the Rt Honoble the Lievt Govr Willing to Carry all things with that Evenneſs, that none might have reaſon to Complaine, Ordered the aforeſaid perſons who drew the Comiſſions, not to demand one penny of any ℔ſon for any of them, not that ever wee heard, have they, and therefore the ſame was refferred to the Rt Worpll Houſe of Burgeſſes, And having Conſidered the Order of Aſſembly Sent, muſt acquaint you that the diſpoſall of the two Shillings ℔ hhd at that time was in the Genll Aſſembly, but is Since appropriated to their Mas for other uſes then this, and will not beare the Charge thereof, And for that this Service is for the publick good, Safety and Security of this Colony it is without any doubt a Country Charge, and therefore wee propoſe that it be paid by the publick.

Wee finde you are Miſtaken in the Interpretrs Salary, for in the laſt return made to the Claimes in *Surry* County, the laſt Genll Aſſembly by the Councill, it was propoſed that they ſhould have their full allowance then, and that it was conceived (eſpecially in this time of Warr) that there could not be leſs then three Interpretrs, but ſhould be willing to leſſen the Charge of the Country as much as poſſible, by findeing Methods that they ſhould be at leſs trouble and Charge, and therefore propoſed that the Interpretrs that belong to all the Indians on the Southſide *James* River for the time to come, ſhould have 4000li of Tobacco and Caske ℔ *Annum*, the Interpretrs to the Indians on *Yorke* River 2500li of Tobo and Caske, and the Interpretrs on *Rappa* River 2500li of Tobo and Caske ℔ *Añum*, and you having according to the ſaid return levied the Interpretrs Salary, and made noe objection againſt the propoſal of three, the Rt Honoble the Lievt Govr and Councill Concluded you agreed to it, and findeing it for their Mas and this Countrys Service that ſoe many ſhould be Imployed, they were by the Rt Honoble the Lievt Govr Comiſſionated accordingly, wee therefore propoſe that inſtead of the 4000li allowed to *David Wickliffe* he be allowed 2500li of tobo and Caske, and that *William Stone* the other Interpretr be alſo allowed 2500 li of Tobo and Caske, theſe being the Sums they were acquainted they ſhould have, and noe more

Aprill 19th 1692 By Order of the Honoble Councill

W Edwards Cl Genll Affbly

By the Rt Honoble the Lievt Govr & Councill

*M*r Speaker

Capt *William Norrington* Comandr of the Ship *Barnadiſton* in *York* River, having brought into this Colony two hundred barrells of Powder, and a Conſiderable quantity of other Stores without pay, and the ſame Since his Arrivall having Continued on board the ſaid Ship a great While, nor is not yet all taken away, It is propoſed that a Suitable reward be made the ſaid *Norrington* for the ſame, to encourage others to doe the like good Service for the Country.

Aprill 19th 1692 By Ordr of the Rt Honoble the Lievt Govr and Councill

W. Edwards Cl Genll Affly

Ordered that the Clerke of the Genll Aſſembly goe to the Houſe of Burgeſſes and acquaint them, that the Councill deſire ſome of the Members of their Houſe may be appointed to Confer with them about their Reſolve for requeſting the Rt Honoble the Lievt Govr to uſe his Authority in the encourageing and enjoyneing a full and Speedy putting the Law for Ports into Effectual Practice.

Aprill

Aprill 20th 1692

MAJOR *Charles Scarburgh* &c waite upon the Councill to Confer about the Reſolve of their Houſe for deſireing the Rt Honoble the Lievt Govr to uſe his Authority for putting the Law for Ports into Speedy Practice.

Mr Secret. *Cole* Reports from the ſaid Conferrence that the Councill Conſidering the Law for Ports lay before their Maſ and that their Maſ had not yet been pleaſed to ſignifye their pleaſure about the ſame, Judged it onely Neceſſary to Joyn with the Houſe of Burgeſſes to Requeſt the Rt Honoble the Lievt Govr humbly to Supplicate their Maſ to ſignifye their pleaſure about the ſaid Law.

Aprill 21th 1692

EDWD HILL Eſqre added

Lt Coll *Law: Smith* &c. waite upon the Rt Honoble the Lievt Govr and preſents the following Meſſage to him

Aprill 21ſt 1692

By the Houſe of Burgeſſes

Ordered that Coll *Law: Smith* . . . . . [See J. of H. of B., p. 401.]

Ordered that the Clerke of the Genll Aſſembly Carry the following Meſſage to the Houſe of Burgeſſes

By the Rt Honoble the Lievt Govr

Mr Speaker

In Anſwere to the Meſſage wherein you deſire an account how long the Rangers appointed at the heads of the Rivers the laſt Seſſion were in Actuall Service, and when diſcontinued, that the Houſe of Burgeſſes might know how to proceede in raiſeing their pay, and that I would Comunicate ſuch directions as I ſhall think fitt, I hereby acquaint you that I Ordered the Lievts of the Rangers to Send me particuler accounts under their hands, which they have failed to doe, ſoe that I Cannot return you that, but to prevent the like illconveniency for the future, I propoſe that the pay for the Rangers be Levied till the 15th 9br next, but not to be paid them till they have an Order from myſelfe and their Maſ Honoble Councill, and then I ſhall be able to give an account what remaines, and will take Care that the remaines of this yeares Salary ſhall be known, that it may be brought to account the next Levy.

Aprill 21th 1692 *ffr: Nicholſon*

Major *Charles Scarburgh* &c. waite upon the Councill preſent the following bills, and deſire their Concurrence thereto. *vizt*

A Bill for Confirmation of Lands
A Bill for Altering the day for *Princeſs Ann* County Cort.
A Bill for the better defence of the Country
A Bill about Phyſitians and Chyrurgeons accots
A Bill for the more Speedy proſecution of Slaves Comitting Capitall Crimes.
A Bill for the Deviding *Rappa* County
A Bill concerning Writts and returns

Aprill 25th 1692

Aprill 21th 1692

By the Houſe of Burgeſſes

THE Houſe takeing into Conſideration Mr *Treaſurers* accounts of the four pence ℔ Gallon and Impoſition upon Skinns and Furrs, obſerved that Severall Collectrs had not given in their accots as the Act of Aſſembly for raiſeing the ſaid Impoſition directs, *Whereupon it was Ordered* that the Membrs before appointed to take mr *Treaſurers* account doe acquaint him that this Houſe doth Expect each particuler Collectr to give in his account upon Oath, and according to the forme

and

and Method preſcribed by the Law. if he hath not already done the ſame, and that he accordingly Informe the Collectr^s^ thereof, and move the Lievt^t^ Govr^r^ to appoint ſome perſon to give the Oath.

Teſte Peter Beverley Cl of the Houſe of Burgeſſes

*By the R^t^ Honob^le^ the Lievt^t^ Govr^r^*

Mr *Treaſurer* having . . . . . [See J. of H. of B., pp. 402-3.]

By the Honob^le^ their Ma^s^ Councill

Mr Speaker

Having received ſeven bills from the R^t^ Worp^ll^ the Houſe of Burgeſſes to which they deſired Our Concurrence, doe herewith return them with the following Anſwers *vizt*

A Bill for Altering the day for *Princeſs Ann* County Court, is agreed to.

A Bill for the better defence of the Country

Wee propoſe that the following Clauſe be added *vizt* And Bee it further Enacted by the Authority aforeſ^d^ and it is hereby Enacted that for the future if any *Engliſh* or Indians ſhall bring any News, or give any Intelligence to any of their Ma^s^ Officers Civill or Military that he or they bringing the ſame be kept in Cuſtody till it may reaſonably be known whether what they report be true or not, and if it prove true and be of uſe or Service to the Government, he or they ſhall be well rewarded, but if falce puniſhed as the Crime ſhall deſerve, and the Court of the County where ſuch Intelligence ſhall be given together with the Militia Officers are hereby Impowered to Conſider what reward any perſon ſhall deſerve, and Certifye the ſame to the next Gen^ll^ Aſſembly for allowance, as alſo to cauſe to be Inflicted ſuch puniſhment as any perſons Crime ſhall deſerve.

A Bill about Phiſitians and Chirurgeons accounts is agreed to

A Bill for the More Speedy proſecution of Slaves Comitting Capitall Crimes, is agreed to.

A Bill for the Dividing *Rapp^a^* County

Wee propoſe that the following Addition be made And be it further Enacted by the Authority aforeſaid and it is hereby Enacted that the Records belonging to the County Court of *Rapp^a^* before this Diviſion be kept in *Eſſex* County, that belonging wholly to their Ma^s^, and the other to the Propriet^rs^ of the *Northern Neck.*

A Bill Concerning Writts and returns

Wee propoſe that the following Clauſe be added And Bee it further Enacted by the Authority aforeſaid and it is hereby Enacted that where one or both of the Burgeſſes who Serves at the Prorogation or Adjournm^t^ of an Aſſembly ſhall be dead abſent or otherwiſe Incapacitated to meete at the time appointed, the Sheriffs of thoſe Counties cauſe one or two Burgeſſes to be Elected as Occaſion ſhall be according to the Direction of the Writt, obſerveing to make return thereof accordingly.

A Bill for Confirmation of Lands.

Wee propoſe the following Addition be made *vizt*

That Imediatly after the Words (as by Law enjoyned) in the thirteenth line be added, this Law nor anything herein Contained not prejudicing the Grants already made of any Lands which were Joyned with former Seated Dividends & were not themſelves Seated, but that the preſent Propriet^rs^ enjoy the ſame according to the Grants made made them, provided they have or ſhall within the time limited by the ſaid Grants Comply with the Condition of them.

And after the Word (notwithſtanding) at the End of the ſaid Bill be added, provided the ſaid Marſhes or Sunken ground be Exactly Surveyed, and their Ma^s^ Quit rents paid for the ſame.

Theſe additions being made wee ſhall readilye give Our Concurrence to the aforeſaid bills

Aprill 25th 1692 By Ordr of the Honob^le^ Councill

W. Edwards Cl Genll Aſſby

Mr

Mr *Harrifon* &c. waite upon the Rt Honoble the Lievt Govr and prefented the following refolve

Aprill 25th 1692

By the Houfe of Burgeffes

The Houfe according . . . . . [See J. of H. of B., p. 402.]

After the reading whereof the Rt Honoble the Lievt Govr appointed the Councill fhould Confer with the Members to be appointed by the Rt Worpll Houfe of Burgeffes about the Subject matter of what was propofed tomorrow in the afternoone.

Aprill 26th 1692

LT COLL *Law: Smith* &c waite upon ye Councill in the Councill Chamber, and prefent an Anfwere to the return of the Claimes made the Rt Worpll Houfe of Burgeffes, a refolue of that Houfe about the difpofall of the Tobo Levied for the Rangers, and the booke of Claimes with the Additions made by them fince it was returned by the Councill, and the faid Booke being Examined was agreed to, the Houfe of Burgeffes adding twenty five pds *Sterl* to mr *William Sherwood* for the Councill Chamber, which was Omitted to be Set down in the faid Booke, And the Booke then returned the faid Lievt Coll *Smith*, the other two papers follow *vizt*

Aprill 21th 1692

By the Houfe of Burgeffes

The Houfe takeing into Confideration the Anfwere of yor Honors to the Booke of Claimes, have thereupon agreed and return as followeth

To the firft paragraph about the allowance to *William King*, upon enquiry of the Miftake, and Satisfaction given by mr *Speaker*, the Houfe have Amended the fame according to yor Honors propofition.

To the Second about the Claim of mr *Henry Royall* the Houfe have received Satisfaction from yor Honors, that the Claim was Satisfied by the Lievt Govr in that his Honor hath declared, he hath alwaies paid for the Horfes he hath made ufe of

To the third about the Claime of *Geo: Anderfon* for two days Carrying lettrs to Coll *Richard Johnfon* from the Honoble *Ralph Wormeley* Efqre which yor Honors conceive to be a Country Charge for that it was to Carry Ordrs about the Militia. The Houfe are of Opinion the fame is noe Country Charge, and ought not to be allowed, for that Coll *Johnfon* is a Militia Officer under the Comand and within the Diftrict of *Ralph Wormeley* Efqre, and that if carrying Lettrs, Orders or Inftructions from Superior to inferior Officers within the fame diftrict fhould be once admitted a publick Charge, the fame would be of evill Confequence and accumulate the Charge Equivalent to maintaining of the Eleven Souldiers at the heads of the Rivers, to which the allowing this Claime would be a leading Prefident.

To the fourth about the Claim of *William Byrd* Efqre, the Houfe have agreed as yor Honors propofe, *vizt* to allow fix pds paid mr *Loyd* Prefident of *Penfilvania* for the Redemption of an *Appamatuck* Indian, and three pds to the Meffenger for bringing him. Conceiveing it to be done by the Lievt Govr for Securing the Peace of the Country, and that the reft of the Claime Stand refferred to the next Affembly for proof according to Law.

To the 5th the Houfe takeing into Confideration that the Lievt Govr hath frequently laid his Comands upon mr *James Williams* and *Charles Moreland* as his Servants and Attendts to tranfcribe, doe, and performe Severall things for him, which have been employed to the Service of the Country, and that the faid perfons have all along approved themfelves very Active in writing, Attendts and Severall other Services, the Houfe have thought fitt to gratifye them with the Sume of Twenty pds *Sterli* for the fame

To the 6th about the allowance to the Indian Interpretrs the Houfe have agreed to yor Honors propofall and have allowed accordingly to *David Wickliffe*..... 2500

William Stone..... 2500

Tho: Blunt..... 4000

The

The Houſe having alſo received from the R^t Hono^ble the Liev^t Govr & yor Hono^rs a propoſition for a Suitable reward to be made Capt *Norrington* Comand^r of the *Barnadiſton*, who brought into this Countrey 200: barrells of Powder, and a Conſiderable quantity of other Stores, which after his Arrivall Continued a great while on board, and ſome yet are unremoved, And being willing to encourage all perſons to undertake the Service of this Country, as Occaſion may require, have thought fitt and accordingly preſented the ſaid Capt *William Norrington* with the Sume of Thirty pds *Sterli*, as a Gratuity for his trouble and Care in bringing in the ſaid Powder and Stores, and keeping the ſame on board till Convenience Offers of fetching it away.

Teſte Peter Beverley Clerke of the houſe of Burgeſſes

Aprill 26th 1692

By the Houſe of Burgeſſes

Upon Reading the Report . . . . . [See J. of H. of B., p. 403.]

Some of the Houſe of Burgeſſes waites upon the Councill, and preſents the following Meſſage

Aprill 26th 1692

By the Houſe of Burgeſſes

The Houſe of Burgeſſes being Deepely . . . . . [See J. of H. of B., p. 404.]

And the Hono^ble Councill having Cauſed their Unanimous Concurrence to be written *vizt*

By their Ma^s Councill

The Houſe of Burgeſſes having requeſted the Councill to Joyn with them in deſireing his Hono^r their Ma^s Liev^t Govr to accept of the ſume of two hundred pds in Mr *Treaſurers* hands as the ſame ſhall ariſe out of the Impoſt upon Liq^rs.

The Councill being very Sencible of the great deſerts of the R^t Hono^ble their Ma^s Liev^t Govr in his Conſtant and Earneſt Endeavours to promote Religion and Learning, their Ma^s Service, the Peace Welfare and Security of this Country, and alſo his indefatigable paines and unwearied diligence in his perſonall Viſiting every part of this Dominion, and Contriveing the beſt Expedients to preſerve the ſame, Doe Unanimouſly Joyne with the Houſe of Burgeſſes in deſireing his Hono^r to accept of the ſaid ſume of two hundred pounds *Sterli*

William Cole Seč.	*C^r Wormeley*—
Ralph Wormeley	*Edwd Hill*—
William Byrd	*Henry Whiteing*
John Lear—	*E. Jenings*

Aprill 26th 1692

And after the Subſcribeing their Names together with the Burgeſſes (who deſired their Concurrence) delivered it to his Hono^r, who anſwered that he kindly received the good Intention of the Councill and Houſe of Burgeſſes, but could not manifeſt the ſame by accepting their preſent without the leave of their Ma^s, it being Contrary to his Inſtructions ſoe to doe.

William Cole Eſq^re Seč: reports from the Conferrence with the Members of the Houſe of Burgeſſes thereto appointed the Subject Matter agreed on to be Writt to *William Blathwaite* Eſq^re, *Jeffrey Jeffreys* Eſq^re and m^r *James Blair* Clk, all which was approved

---

Aprill 27th 1692

LT COLL^O *Law: Smith* waites upon the Councill and preſents the booke of Claimes, which being Examined, and agreed to, was ſoe Atteſted by the Clerke of the Gen^ll Aſſembly and by the Councill returned the ſaid *Smith.*

Mr *Francis Maſon* &c waites upon the Councill and deſires their Concurrence to the following bills may be endorſt on them by the Clerke of the Gen^ll Aſſembly, the Houſe of Burgeſſes having agreed to the Amendments propoſed by the Councill,

And the ſame was accordingly done and the ſaid Bills returned the ſaid *Maſon vizt*

A Bill for Altering the day for *Princefs Ann* County Court.
A Bill for the better defence of the Country
A Bill about Phifitians and Chirurgeons accounts
A Bill for the more Speedy profecution of Slaves Comitting Capitall Crimes.
A Bill for dividing *Rapp*[a] County.
A Bill for Confirmation of Lands.
Some of the Houfe of Burgeffes bring the following Refolve

Aprill 27th 1692

By the Houfe of Burgeffes

Refolved that the Sume of two hundred pds *Sterli* be put into the hands of m[r] *Gawen Corbyn* Marchant of *London*, to be paid to *William Blathwaite* Efq[re] as he fhall have occafion to difpofe of the fame for the ufe of this Country.

Ordered that this Refolve be Carried to the Hono[ble] Councill for their Concurrence.

Tefte Peter Beverley Clerk of the Houfe of Burgeffes

Ordered that the Clerke of the Gen[ll] Affembly endorfe the refolve of the R[t] Worp[ll] the Houfe of Burgeffes for putting two hundred pounds *Sterli* into the hands of m[r] *Gawen Corbyn* Marchant &c Affented to, and return it to the Houfe of Burgeffes

Alfo *Ordered* that he defire the R[t] Worp[ll] the Houfe of Burgeffes to Joyn with the Councill in humbly petitioning their Ma[s] to give leave to the R[t] Hono[ble] the Liev[t] Gov[r] to accept of the fume of two hundred pounds *Sterli*

Some of the Houfe of Burgeffes waite upon the Councill, and prefent a Bill for raifeing a publick Levy, and defire the Councills Concurrence thereto.

Ordered that the Clerke of the Gen[ll] Affembly endorfe the faid Bill affented to by the Councill, and return it to the R[t] Worp[ll] the Houfe of Burgeffes.

Aprill 28th 1692

MAJOR *Charles Scarburgh* &c waite upon the Councill and prefent a Refolve of the R[t] Worp[ll] the Houfe of Burgeffes that one hundred pounds *Sterli* be put into the hands of m[r] *Gawen Corbyn* Marchant of *London* to be paid to m[r] *James Blair* as he fhall have Occafion to difpofe of the fame for the manageing the affair of the Free School and Colledge Comitted to him the laft Seffion, and the fame being affented to, was endorft by the Clerke of the Gen[ll] Affembly and returned the faid *Scarburgh*.

The faid *Scarburgh* then prefented an Addrefs and petition to their Moft Sacred Ma[s] a Letter to the R[t] Reverend Father in God the Bifhop of *Salifbury*, a letter and Memoriall to the Hono[ble] *William Blathwaite* Efq[re] and a letter to the Reverend m[r] *James Blair*.

And then was delivered the faid *Scarburgh* a Letter to the Moft Reverend Father in God the Arch Bifhop of *Canterbury*, one to the R[t] Reverend Father in God the Bifhop of *London*, one to the R[t] Reverend Father in God the Bifhop of *Worcefter*, and one to the Hono[ble] *Jeffrey Jeffreys* Efq[re], and tomorrow morning Seven a Clock is appointed to Conferr in the Councill Chamber with Such Members as fhall be appointed by the R[t] Worp[ll] the Houfe of Burgeffes about Such Alterations as fhall be propofed either by the Councill or Houfe of Burgeffes.

Aprill 29th 1692

MR Secretary *Cole* reports from the Conferrence with the Members of the Houfe of Burgeffes appointed thereto, the Severall Alterations propofed and agreed to be made in the Addrefs and petition to their Moft Sacred Ma[s] and the Severall Letters &c. and the fame are approved.

Aprill

Aprill 30th 1692

ORDERED that the Clerke of the Genll Affembly goe to the Rt Worpll the Houſe of Burgeſſes, and acquaint them that the Rt Honoble the Lievt Govr Comands their Attendance in the Genll Court houſe forthwith, where they being come, mr *Speaker* made the following Speech *vizt*

Yor Honors

perſeverance in doeing great and good things, and the Example you are alwaies giving to incite all Virtuous Inclinations to the practice of the ſame Virtues you own, demonſtrates Clearely to us the repreſentatives of this once deſpairing Colony, yor Honors firm Reſolution to accompliſh what hath been (thô with little Succeſs hitherto) ſo ſtrenuouſly endeavoured to make this Countrey attaine to ſome degree of happineſs.

Which now upon theſe Conſiderations wee have reaſon to beleive is by the bleſſing of Almighty God approaching; and then there will be cauſe to celebrate the yeares 91 & 92 for the firſt yeares of *Virgas* proſpect of approaching proſperity.

And ſuch reſolutions of yor Honors grounded on ſoe good and noble principles wee are Sure will never ceaſe their Operations till the cauſe ſhall ceaſe, which we hope can never be till we ſhall ceaſe to be (which wee never will by the Grace of Almighty God) Moſt Loyall, Moſt Zealous and Moſt humble Subjects and Servants of the Crown, and of Our Moſt Gracious King and Queene.

May it pleaſe yor Honor

Their Mas Honoble Councill with the Burgeſſes as the Juncture of affaires and time will ꝑmitt, and as they have (with Submiſſion) conceived for the good of the Countrey agreed upon ſome Laws, to which they pray yor Aſſent and Signature, and they are Entituled

1: *An Act for the better defence of the Country*
2: *An Act for Confirmation of Lands*
3: *An Act for the more Speedy proſecution of Slaves Comitting Capitall Crimes*
4: *An Act about Phiſicians & Chirurgeons accots*
5: *An Act for the deviding* Rappa *County*
6: *An Act for altering the day for* Princeſs Ann *County Court*
7: *An Act for Raiſeing a Publique Levy.*

And the ſaid Severall Laws being publiſhed and ſigned by the Rt Honoble the Lievt Govr and Speaker, The Addreſs to their Moſt Gracious Mas Signed by the Rt Honoble the Lievt Govr, *William Cole* Secret. and *Thomas Milner* Speaker, the petition to their Moſt Sacred Mas Signed by *William Cole* Secretary and *Thomas Milner* Speaker, and all the Letters and memoriall Signed by the Rt Honble the Lievt Govr *William Cole* Secret. and *Thomas Milner* Speaker.

The Rt Honoble the Lievt Govr Expreſſed himſelfe *vizt*

Mr Speaker *and Gentn*

I return you thanks for the great care you have taken to Secure this their Mas Dominion, and I doubt not but you will in yor Severall Counties be very vigilant and Carefull to preſerve the Country in peace,

It hath been all along the Endeavours of my ſelfe and the Councill to put the Country to as little Charge as poſſible, and it ſtill ſhall be Our Methods.

I hope there will be noe Occaſion for yor Speedy meeting unleſs I receive Ordrs out of *England* that require it.

And therefore I prorogue this Aſſembly to the 20th day of *Aprill* 1693 unleſs my ſelfe and the Councill ſhall think fitt to call you Sooner.

Copa Vera

Teſt W. Edwards Cl Genll Aſſby

173 174

ATT A

GEN^{LL} ASSEMBLY

begun at *James Citty* the Second day of *March Anno Dom:* 1692 and in the fifth yeare of the Reign of our Sovereign Lord and Lady *William* and *Mary* by the Grace of God of *England Scotland France Ireland* and *Virginia* King and Queen Defenders of the Faith &c.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1407, pp. 891-936.]

Att a Genll Aſſembly begun at *James Citty* the Second day of *March Anno Dom:* 1692 and in the fifth yeare of the Reign of our Sovereign Lord and Lady *William* and *Mary* by the Grace of God of *England Scotland France Ireland* and *Virginia* King and Queen Defenders of the Faith &c.

[*March* the 2nd, 1692.]

Preſent

HIS Excy the Govr, *Ralph Wormeley* Seč., *William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſqrs

Ordered that *William Edwards* Clerke of the Genll Aſſembly goe to the houſe of Burgeſſes and acquaint them that his Excy Coñands their Iñediate attendance in the Genll Courthouſe, where they being come his Excy thus Expreſt himſelfe.

Gent.

Their Mas haveing been pleaſed to Coñand my ſervice in this Government

I hope from Generall Aſſemblies all that may be, and your preſent Conſideration of all proper and Neceſſary to the welfare defence and Honour of this their Mas ſo Ancient and Conſiderable a Colony, which will be Effečtually to do our Duties to God, their Mas and Countrey.

Their Mas are pleaſed out of their great care for the Welfare of their Subječts in this Colony to continue and grant them a Free trade with the Indians, preferring the particular benefitt of their people before any other advantage that might accrew unto them by reſtraining ſaid trade of which doubt not a due ſence and ſuitable returns

Not to delay you from the good purpoſes in yor Writts for this meeting, to which refer you

You Gent. of the houſe of Burgeſſes are now to return to your houſe, and make choice of a Speaker.

I have appointed Mr *Peter Beverley* to be yor Clerke

And I hope all heartily joyneing in Prayers and Supplications to Almighty God for the Continuance of his bleſſings and Aſſiſtance on this Occaſion, which I have by Advice of the Councill appointed to be obſerved a *Sunday* next in this place, and a *Sunday* the 19th Inſtant in all other places of the Government

Major *Samuel Swann* &c waite upon his Excy in the Councill Chamber, and acquaint him that the houſe of Burgeſſes had Elečted a Speaker.

His Excy then Coñanded that the whole houſe of Burgeſſes ſhould waite upon him and the Councill in the Genll Co'rt houſe at three of the Clock in the afternoon.

Ordered that the Clerke of the Genll Aſſembly goe to the houſe of Burgeſſes, and acquaint them his Excy Coñands their Attendance in the Genll Court houſe

Coll *Thomas Milner* with the houſe of Burgeſſes waite upon his Excy in the Genll Court houſe, and acquaints his Excy that the houſe of Burgeſſes had Elečted him for their Speaker, who being approved by his Excy prayed they might injoy the Ancient priviledges of that houſe to which his Excy replyed

Mr Speaker all the priviledges that have & ought to be granted are confirmed to you, he then prayed that thoſe failers he ſhould be guilty of in the management of the weighty Affaires of this Aſſembly ſhould not be taken notice of, to which his Excy ſaid, he did not queſtion his due performance of what ſhould be Neceſſary.

Ordered

Ordered that the Clerke of the Gen[ll] Aſſembly prepare a Comiſſion for his Ex[cy] Signeing, appointing and Impowering *William Byrd, C[r] Wormeley* & *Edward Hill* Eſq[rs] or any two of them, to Adminiſter to the Members of the houſe of Burgeſſes the Oaths preſcribed by Law to be taken inſtead of the Oaths of Allegiance and Supremacy, and the Teſt, alſo the Oath of a Burgeſs for this preſent Aſſembly, as alſo to Adminiſter the Oaths appointed by Act of Parliament to be taken Inſtead of the Oaths of Allegiance and Supremacy, and the Teſt, and the Oath of the Clerke of the houſe of Burgeſſes to Cap[t] *Peter Beverley*.

There being a Gen[ll] Aſſembly now met, his Ex[cy] by Advice in Councill is pleaſed to Order the Sheriffe of *James Citty* County to give his uſuall Attendance on the houſe of Burgeſſes.

March the 3[d] 1692

Preſent

HIS Ex[cy] the Gov[r], *Ralph Wormeley* Sec., *William Byrd, John Lear, C[r] Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſq[rs]

Cap[t] *Henry Duke* &c waite upon his Ex[cy] in the Councill Chamber, and pray that ſome perſons may be Commiſſionated to ſwear the Members of the houſe of Burgeſſes. Refferred to *William Byrd C[r] Wormeley* and *Edward Hill* Eſq[rs] or any two of them as authorized thereto.

The Comiſſion for Adminiſtring the Oaths to the Burgeſſes

By his Ex[cy]

S[r] *Edmund Andros* Kn[t] their Ma[s] Liev[t] and Gov[r] Gen[ll] of *Virginia*, purſuant to the Authority to me given by their Ma[s] Letters Patents under the Great Seale of *England*, I doe hereby Nominate Order and appoint you *William Byrd* Eſq[r] *C[r] Wormeley* Eſq[r] and *Edward Hill* Eſq[r] three of their Ma[s] Councill of State of this Colony, or any two of you to Adminiſter the Oaths preſcribed by Act of Parliament to be taken inſtead of the Oath of Allegience and Supremacy, and the Teſt, alſo the Oath of a Burgeſs this preſent Aſſembly to all the Members thereof, And I do hereby further Order and appoint you or any two of you as aforeſaid to Adminiſter the Oaths appointed by Act of Parliament to be taken inſtead of the Oaths of Allegience and Supremacy, and the Teſt, alſo the Oath of the Clerke of the houſe of Burgeſſes to Cap[t] *Peter Beverley*, Given under my hand and the Seale of the Colony this third day of *March Anno Dom:* 1692/3

E. Andros

A Comiſſion for the ſwearing the houſe of Burgeſſes & their Clk

Ralph Wormeley Sec.

M[r] *William Leigh* &c. waite upon his Ex[cy] in the Councill Chamber and acquaint him the houſe of Burgeſſes underſtood by the Sheriffe he was Comanded to have an Officer to Attend them, but it haveing been the practice of the houſe to chooſe a Meſſenger, they had made a choice of M[r] *W[m] Drumond*, but takeing it as a favour from his Ex[cy], the houſe of Burgeſſes returned his Ex[cy] their humble thanks for the ſame.

to which his Ex[cy] by the Advice of the Councill ſaid, he did not well underſtand the Meſſage, but if the houſe of Burgeſſes thought fitt to ſend it in writeing it ſhould be Conſidered.

M[r] *William Leigh* &c waite upon his Ex[cy] in the Councill Chamber, and preſent the following Meſſage.

By the houſe of Burgeſſes

May it pleaſe yo[r] Ex[cy]

The houſe of Burgeſſes . . . . . [See J. of H. of B., 1659/60-93, p. 414.]

M[r] *Dan[ll] Parke* &c. waite upon his Ex[cy] in the Councill Chamber and acquaint him they are Ordered by the houſe of Burgeſſes to pray his Ex[cy] that a New Writt may iſſue for the Election of a Burgeſs in *Henrico* County to ſerve in the place of m[r] *John Pleaſants*, who by refuſeing to take the Oaths appointed, is uncapable of Serveing.

and accordingly a Writt iſſued

March

March the 6th 1692

Prefent

HIS Exᶜʸ the Govʳ, *Ralph Wormeley* Seᶜ, *William Byrd, John Lear, Cʳ Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſqʳˢ

Major *Samuel Swann* &c waite upon his Exᶜʸ in the Councill Chamber, and prefent the following Addreſs

May it pleaſe yoʳ Exᶜʸ

Yoʳ Exᶜʸ haveing been pleaſed . . . . . [See J. of H. of B., p. 416.]

March the 7th 1692

Prefent

HIS Exᶜʸ the Govʳ, *Ralph Wormeley* Seᶜ, *William Byrd, Jnº Lear, Cʳ Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſqʳˢ

Capᵗ *Miles Cary* &c waite upon his Exᶜʸ & acquaint him they are Ordered by the houſe of Burgeſſes to pray his Exᶜʸ that a New Writt may iſſue for the Election of a Burgeſs for *King & Queen* County to ſerve in the place of Capᵗ *Jnº Lane*, who it was reſolved by the houſe was unduely Elected.

And a Writt accordingly iſſued

Ordered that the Clerke of the Genˡˡ Aſſembly carry the following anſwer to the Addreſs of the houſe of Burgeſſes about chooſeing their Clerke, to the ſaid houſe

By his Exᶜʸ

Mʳ Speaker *& Gent of the houſe of Burgeſſes*

In Anſwere to yoʳ Addreſs . . . . . [See J. of H. of B., pp. 417-18.]

March the 8th 1692

Prefent

HIS Exᶜʸ the Govʳ, *Ralph Wormeley* Sec., *William Byrd, John Lear, Cʳ Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſqʳˢ

Capᵗ *Thomas Ballard* &c. waite upon his Exᶜʸ in the Councill Chamber, and prefent the following Addreſs

May it pleaſe yoʳ Exᶜʸ

Yoʳ Exᶜʸ haveing upon . . . . . [See J. of H. of B., pp. 418-9.]

Ordered that the Clerke of the Genˡˡ Aſſembly carry the following Anſwer to the houſe of Burgeſſes.

By his Exᶜʸ

Mʳ Speaker *and Gent. of the houſe of Burgeſſes*

In yoʳ reply . . . . . [See J. of H. of B., p. 419.]

March the 9th 1692

Prefent

HIS Exᶜʸ the Govʳ, *Ralph Wormeley* Seᶜ, *William Byrd, John Lear, Cʳ Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſqʳˢ

Mʳ *Arthur Spicer* &c waite upon his Exᶜʸ and acquaint him, they are Ordered by the houſe of Burgeſſes to pray his Exᶜʸ that thoſe Gent. his Exᶜʸ had appointed might Swear the Clerke his Exᶜʸ had Comiſſionated for their houſe, which his Exᶜʸ gave direction in accordingly

March

March the 11th 1692

Preſent

HIS Exᶜʸ the Govʳ, *Ralph Wormeley* Seč., *William Byrd, John Lear, Cʳ Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſqʳᵉ

Major *Thomas Youel* &c waite upon his Exᶜʸ in the Councill Chamber and acquaint him, they are Coñanded by the houſe of Burgeſſes humbly to requeſt his Exᶜʸ to favour them with a Copy of his Speech.

Ordered that the Clerke of the Genˡˡ Aſſembly carry it to the houſe of Burgeſſes ſaying theſe words at the delivery thereof.

Mʳ Speaker

His Exᶜʸ did not expeč you would have asked a Copy of his Speech, but hath deſired mʳ *Secretary* to ſend it and I am Coñanded to deliver it.

Ordered that the Clerke of the Genˡˡ Aſſembly endorſe the Petition of *Peter Heyman* Gent. relateing to a Poſt Office to be Erečted in this Government; Refferred to the houſe of Burgeſſes with due regard to their Maˢ Coñand, and deliver it to the ſaid houſe of Burgeſſes with a Copy of her Maˢ Letter to his Exᶜʸ in that concerne.

March the 14th 1692

Preſent

HIS Exᶜʸ the Govʳ, *Ralph Wormeley* Seč., *William Byrd, John Lear, Cʳ Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſqʳᵉ

Collº *Lemuell Maſon* &c. waite upon his Exᶜʸ and preſent the following Addreſs

May it pleaſe yoʳ Exᶜʸ

The houſe of Burgeſſes haveing . . . . . [See J. of H. of B., pp. 423-4.]

March the 16th 1692

Preſent

HIS Exᶜʸ the Govʳ, *Ralph Wormeley* Seč., *William Byrd, John Lear, Cʳ Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſqʳᵉ

Mʳ *Danˡˡ Parke* &c waite upon his Exᶜʸ in the Councill Chamber, and acquaint him they are Comanded by the houſe of Burgeſſes to ſignifye to his Exᶜʸ that they had prepared an Addreſs about the Reviſall of the Laws to be preſented by the whole houſe, and to pray his Exᶜʸ to appoint a time and place for the receiveing thereof.

To which his Exᶜʸ replyed the Councill were now with him in the Councill Chamber, and appointed their preſent comeing to him there.

Mʳ *Speaker* and the houſe of Burgeſſes waite upon his Exᶜʸ in the Councill Chamber, and Mʳ *Speaker* Said The houſe of Burgeſſes haveing under their Conſideration the Reviſall of the Laws of this Countrey had reſolved upon an Addreſs to his Exᶜʸ, which as he was Coñanded he now on their behalfs humbly preſented, to which his Exᶜʸ replyed, he was very glad they were upon ſoe good a Worke, and that he had Intimated it to the Councill as acceptable to their Maˢ, and the Councill had the ſame under Conſideration and ſhould be ready to do all proper for the performance thereof

The Addreſs follows

To his Exᶜʸ Sʳ Edmund Andros *Knᵗ their Maˢ Lievᵗ and Govʳ Genˡˡ of* Virgᵃ

May it pleaſe youʳ Exᶜʸ

The houſe of Burgeſſes . . . . . [See J. of H. of B., p. 425.]

Richard Lee Eſqʳ added

Ordered

Ordered that the Clerke of the Gen[l] Affembly carry the following Anfwer to the Addrefs about the Inftruction for the Free trade with the Indians to the houfe of Burgeffes As alfo the anfwer to the above Addrefs

By his Ex[cy]

M[r] Speaker *and Gent of the houfe of Burgeffes*

Haveing received yo[r] Addrefs . . . . . [See J. of H. of B., pp. 427-8.]

By his Ex[cy]

M[r] Speaker *and Gent of the houfe of Burgeffes*

On reading yo[r] Addrefs . . . . . [See alfo p. 428.]

March the 17th 1692

Prefent

HIS Ex[cy] the Gov[r], *Ralph Wormeley* Sec̃, *William Byrd, Jn[o] Lear, C[r] Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Efq[rs]

Richard Lee, William Byrd, John Lear and *Edward Hill* Efq[rs] are by the Councill nominated and appointed to meete in m[r] *Geo: Marables* brickhoufe at three of the Clock this afternoon and Confer with fuch Members as fhall be appointed by the houfe of Burgeffes about the moft proper methods for the Revifall of the Laws.

Cap[t] *William Kendall* &c waite upon his Ex[cy] in the Councill Chamber and prefent the following Meffage

May it pleafe yo[r] Ex[cy]

The houfe of Burgeffes haveing . . . . . [See J. of H. of B., p. 428.]

March the 20th 1692

Prefent

HIS Ex[cy] the Gov[r], *Ralph Wormeley* Sec̃, *William Byrd, John Lear, C[r] Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Efq[rs]

Cap[t] *Miles Cary* &c. waite upon his Ex[cy] and acquaint him they are Ordered by the houfe of Burgeffes to pray his Ex[cy] that a New Writt may iffue for Election of a Burgefs for *King & Queen* County to ferve in the place of Cap[t] *Jn[o] Lane*, the Writt formerly Sent being returned by the late Sub-Sheriffe of that County not executed, the Sherriffe dyeing before the day appointed for the Election

---

March the 21th 1692

Prefent

HIS Ex[cy] the Gov[r], *Ralph Wormeley* Sec̃, *William Byrd, John Lear, C[r] Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Efq[rs]

Cap[t] *Miles Cary* &c waite upon his Ex[cy] and the Councill and acquaint them with two Meffages from the houfe of Burgeffes, one relateing to the Rangers raifed the laft yeare, the other to twenty five barrells of Powder lent the Gov[r] of *Maryland.*

Cap[t] *William Randolph* &c waite upon his Ex[cy] and the Councill and acquaint them with a Meffage from the houfe of Burgeffes relateing to a Conferrence with fome of the Councill.

which Meffages not being well underftood

It is Ordered that the Clerke of the Gen[ll] Aſſembly goe to the houſe of Burgeſſes and acquaint them therewith in the following Words

Mr Speaker

I am Coñanded by his Ex[cy] and Councill to acquaint you that the Verball Meſſages from yor houſe this day delivered by Capt *Miles Cary* and Capt *William Randolph* not being well underſtood, they deſire they may be ſent in writeing

The Houſe of Burgeſſes haveing deſired a New Writt may iſſue for the Election of a Burgeſs for *King* and *Queen* County, and a Writt haveing already been Sent, m[r] *Sec[ry]* is deſired to ſend to his Office for it, that the return thereon made may be ſeen and Conſidered.

Cap[t] *Miles Cary* &c waite upon his Ex[cy] and the Councill and preſent the following Meſſage.

May it pleaſe yo[r] Ex[cy]

The Meſſage ſent by the Comittee of Publique Claimes and delivered this morning to yo[r] Ex[cy] and the Councill by Cap[t] *Cary*, was to acquaint yo[r] Ex[cy] with theſe two following reſolves

March 20th 1692/3

Reſolved that the Comittee for Publique Claimes make humble Application to his Ex[cy] and the Councill for an account how long the Rangers at the heads of the Rivers have been in Actuall Service, or diſcontinued, and how much of the Salary raiſed for them the laſt Seſſion remaines now *in depoſito* unmade uſe of.

Reſolved that the ſaid Coñittee make humble Application to his Ex[cy] and the Councill to take care that the twenty five barrells of Powder lent the Govr of *Maryland* laſt Aſſembly, may be redelivered at ſuch time and place within this Government, as was upon the Loan thereof ſet and required.

By Order of the Burgeſſes
Tho Milner Speaker

Cap[t] *William Randolph* &c waite upon his Ex[cy] and the Councill and preſent the following Meſſage.

May it pleaſe yo[r] Ex[cy]

The Meſſage Sent by ſeverall Members from this houſe and delivered by Cap[t] *William Randolph* to yo[r] Ex[cy] and the Councill was to acquaint yo[r] Ex[cy] with this following Order

March 20th 1692/3

Ordered that Cap[t] *Randolph*, Cap[t] *Field*, Cap[t] *Scarlet* Cap[t] *Ouſley*, m[r] *Sandford*, Cap[t] *Lear*, Cap[t] *Ballard* and Cap[t] *Clements* deſire a Conferrence with the hono[ble] Councill to Conſult of the beſt waies and meanes for the prevention of divers great abuſes Complained of from *Stafford* County to be Committed by *Maryland* and other Strange Indians, according to the Reſolve of the houſe on *thurſday* laſt, and that they be impowered to manage the Conferrence accordingly.

March the 21th 1692/3

By Order of the Burgeſſes
Tho. Milner Speaker

March the 22th 1692

Preſent

HIS Ex[cy] the Gov[r], *Ralph Wormeley* Sec̄, *William Byrd*, *John Lear*, *C[r] Wormeley*, *Edward Hill*, *Henry Whiteing*, *Edmund Jenings*, *Henry Hartwell*, *Richard Lee* Eſq[rs]

M[r] *Secretary* haveing produced the Writt ſent for the Election of A Burgeſs for *King* and *Queen* County, on which being returned *viz[t]*

King and *Queen* County *March* 16th 1692/3

In Obedience to this within Writt I did not onely make publication, but appointed a day for the Election of A Burgeſs, and being Credibly informed of the high Sheriffs Death, thought it not fitt to proceede to the Election

℔ *Nath: Weſt* Sub Sheriffe

A New Writt iſſued

C[r]

C^r Wormeley, Henry Whiteing Edmund Jenings and *Henry Hartwell* Esq^rs or any three of them are appointed at five of the Clock this afternoon in m^r *George Marshes* Brickhouse to meete and conferr with the Members of the house of Burgesses there to appointed of the best waies and meanes for the prevention of the abuses Complained of from *Stafford* County to be Comitted by *Maryland* and other Strange Indians

Upon Application of the house of Burgesses for an account how long the Rangers at the heads of the Rivers have been in Actuall Service or discontinued, and how much of the Salary raised for them the last Session remaines now *in deposito*, unmade use of.

Refferred to m^r Audit^r *Byrd* to examine the same and make report thereof to this Board

---

March the 23^d^ 1692

Present

HIS Ex^cy the Govr, *Ralph Wormeley* Sec^r, *William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Esq^rs

Mr *Dan^ll Parke* &c waite upon the Councill and acquaint them the house of Burgesses had passed Six bills and Commanded them to desire their Concurrence thereto, which bills he then delivered, and they are *vizt*

A Bill for Continueing the *Act for the better defence of the Countrey*

A Bill for Suspending the Execution of the *Act for Ports* &c.

A Bill concerneing Indians hoggs

A Bill for giveing Incouragement to Erect Fulling Mills

A Bill for Seating certaine Lands on the South side *James* River and *Pomunky* Neck

A Bill for Advancement of Coines

Richard Lee Esqr Reports from the Conferrence about the Revising and digesting the Laws that the propositions given by the house of Burgesses to their Members were that twelve of the house of Burgesses or any five of them, to whom should be Committed the Care and Charge thereof, should meete at *James Citty* the first day of 7^br^ next and Sit in the Assembly Roome in Order to their proceeding therein, and that they may have power to send for Papers Records, and for such person or persons for their Assistance as they shall think fitt and that they may be thereunto impowered by an Act of Assembly

of which propositions they had taken time to Consider and therefore desired direction therein.

On Consideration whereof it is the Opinion of the Councill that this present Sitting of the Assembly the time at the first proposed by the Councill is the best and fittest time for the Revisall of the Laws.

March the 24th 1692

Present

HIS Ex^cy the Govr, *Ralph Wormeley* Sec^r, *William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Esq^rs

Mr Audit^r *Byrd* haveing Stated the acco^t of the time the Rangers at the heads of the Rivers were in Actuall Service, when discontinued, and what remaines in *deposito* of the Salary raised the last Session of Assembly presented the same

Ordered that the Clerke of the Gen^ll Assembly in answer to the desire of the house of Burgesses about the Rangers Salary, deliver them the acco^t Stated by m^r Audit^r *Byrd*

The following Answer to the Message from the house of Burgesses about the Powder lent the Govr of *Maryland* being prepared by the Advice of the Councill

Ordered

Ordered that the Clerke of the Gen[ll] Aſſembly carry the ſame to the houſe of Burgeſſes *viz[t]*

By his Ex[cy]

M[r] Speaker *and Gent. of the houſe of Burgeſſes*

As to yo[r] Addreſs . . . . . [See J. of H. of B., p. 438.]

Richard Lee Eſq[r] &c Reports from the Conferrence about the Reviſall of the Laws, that they, as they had done at their firſt meeting, had propoſed that this preſent Sitting of the Aſſembly is the beſt and fitteſt time for the doeing thereof

to which the Members of the houſe of Burgeſſes appointed for this Conferrence replyed they would acquaint the houſe therewith.

C[r] Wormeley Eſq[r] &c reporting from the Conferrence about the Injuries Complained of by the Inhabitants of *Stafford* County, that Severall Injuries were Complained of in Generall termes to be done in the aforeſaid County by *Maryland* and other Strange Indians.

It is Ordered that at their next meeting they deſire to know who were the perſons that had received Injuries which by Law, and Officers Civil and Military could not be remidied there, the time and place of the Committing them, and who they were that did them.

A Bill for Continueing the *Act for the better defence of the Countrey* was read, and Ordered to be read a Second time tomorrow.

A Bill for Suſpending the Execution of the *Act for Ports &c* was read, and Ordered to be read a Second time tomorrow.

A Bill concerning Indian Hoggs was read and Ordered to be read a Second time.

A Bill for giveing Incouragement to Erect Fulling Mills was read, and Ordered to be read a Second time.

A Bill for Seating certaine Lands on the Southſide *James* River and *Pomunky* Neck was read, and Ordered to be read a Second time.

A Bill for Advancement of Coines was read, and Ordered to be read a Second time.

M[r] *Michael Sherman* &c. waite upon the Councill and acquaint them, they are Ordered by the houſe of Burgeſſes to preſent the following Bills to them, and deſire their Concurrence thereto, *viz[t]*

A Bill aſcertaining the Price of Coaſting Cocquetts, and requireing Officers Attendance

A Bill for Altering the firſt day of the Gen[ll] Court in ſome Caſes, and alſo of County Courts

A Bill for the Incourageing the Erecting of a Poſt Office in this Countrey.

March the 25th 1693

Preſent

HIS Ex[cy] the Gov[r], *Ralph Wormeley* Sec., *William Byrd, John Lear, C[r] Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Eſq[rs]

A Bill for continueing the *Act for the better defence of the Countrey* was read a Second time, and the Attorney Gen[ll] being Sent for, and heard thereupon, is Refferred to be further Conſidered of on *Munday* morning, when the Attorney Gen[ll] is to give his further Attendance.

A Bill for Suſpending the Execution of the *Act for Ports* &c was read a Second time, and the further Conſideration thereof refferred till *Munday*.

M[r] *Dan[ll] Parke* &c waite upon his Ex[cy], as alſo upon his Ex[cy] and the Councill and preſent the following Meſſages *viz[t]*

May it pleaſe yo[r] Ex[cy]

Their Moſt Sacred Ma[s] . . . . . [See J. of H. of B., pp. 439-40.]

May

May it pleaſe yor Ex^cy and yor Hono^rs

The Reviſall . . . . . [See J. of H. of B., p. 439.]

And the ſaid Addreſs about a time for the Reviſall of the Laws, refferred to be conſidered accordingly.

March the 27th 1693

Preſent

HIS Ex^cy the Govr, *William Byrd. C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell* Eſq^rs

The Bill continueing the *Act for the better defence of the Countrey*, and The Bill for Suſpending the Execution of the *Act for Ports* &c refferred to be Conſidered of, ſome of the Councill abſent, and the Attorney Gen^ll not Attending, refferred till tomorrow when the Attorney Gen^ll to give his Attendace.

A Bill aſcertaining the price of Coaſting Cocquetts and requireing Officers Attendance was read, and Ordered a Second reading.

A Bill for Altering the firſt day of the Gen^ll Court in ſome caſes, and alſo of County Courts was read, and Ordered a Second reading.

A Bill for the Incourageing the Erecting of a Poſt-Office in this Countrey was read, and Ordered a Second reading.

The *Act for Advancement of Manufactures of the growth of this Countrey, and for the better and more Speedy payment of debts and Levies* being propoſed to be Conſidered, is refferred to be taken into Conſideration tomorrow, when the Attorney Gen^ll is to Attend

A Bill being propoſed to aſcertaine what perſons are proper to Serve as Jurymen, It is refferred to be Conſidered tomorrow, when the Attorney Gen^ll is to Attend

Capt *Miles Cary* &c waite upon the Councill and acquaint them, the houſe of Burgeſſes had Setled and agreed upon the Publick Claimes made to this Aſſembly, which they were Ordered by the houſe to deliver to them, and deſire their Concurrence.

March the 28th 1693

Preſent

HIS Ex^cy the Govr, *Ralph Wormeley* Senr, *William Byrd, John Lear, C^r Wormeley, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Eſq^rs

The Bill for Suſpending the Execution of the *Act for Ports &c* being read and debated is agreed to with theſe Amendments *vizt* that Imediatly after the words *of great Moment weight and Conſequence* in the preamble, be incerted theſe following words, and the ſaid Act lyeing before their Ma^s, and their Ma^s pleaſure relateing thereto, not being yet Signified, and the reſt of the preamble left out.

The Bill for giveing Incouragement to Erect Fulling Mills, refferred to be further Conſidered

The Bill concerning Indians hoggs is agreed to, as Sent

The Bill for Seating certain Lands on the South-ſide of *James* River, and *Pomunky* Neck, read a Second time, and refferred to be further Conſidered of.

The Bill for Advancement of Coines, read the ſecond time, and not agreed to.

Capt *John Tayler* &c waite upon the Councill and preſent the following Meſſage.

March 28th 1693

By the houſe of Burgeſſes

Reſolved that whatſoever Liquors . . . . . [See J. of H. of B., p. 441.]

Ordered that this Vote be carried to the Hono^ble Councill for their Concurrence

Teſte Peter Beverley Clerke of the houſe of Burgeſſes.

March

March the 29th 1693

Prefent

HIS Excy the Govr, *Ralph Wormeley* Sec., *William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Eſqre

The Bill for ſuſpending the Execution of the *Act for Ports* &c read, and Ordered that the Clerke of the Genll Aſſembly carry the ſame to the houſe of Burgeſſes with the following Amendments *vizt*

By the honoble their Mas Councill

Mr Speaker *and Gent. of the houſe of Burgeſſes*

The Bill received from you Entituled A Bill for Suſpending the Execution of the *Act for Ports &c* is agreed to with theſe Amendments *vizt* that Imediatly after the words *of great Moment weight and Conſequence* in the preamble, be incerted theſe following Words, And the ſaid Act lyeing before their Mas, and their Mas pleaſure relateing thereto not being yet Signified, and the reſt of the preamble left out.

By Order of the Councill

March 29th 1693 *W. Edwards* Cl Genll Affly

Ordered that the Clerke of the Genll Aſſembly carry the Bill concerning Indians hoggs to the houſe of Burgeſſes endorſt thus

Virga March the 29th 1693. *By the honoble their Mas Councill*

This Bill is agreed to

By Order of the Councill

W. Edwards Cl Genll Aſſby

The Bill for the better defence of the Countrey read the third time, and Ordered that the Clerke of the Genll Aſſembly carry the ſame to the houſe of Burgeſſes with the following Amendments

By the honoble their Mas Council

Mr Speaker *and Gent of the houſe of Burgeſſes*

We agree with you in the bill for the better defence of the Countrey, with the Amendments as herewith ſent Leaveing out the Clauſe repealeing the Act for the better defence of the Countrey in 1691

The Clauſe continueing the ſame Act in 1692

The Clauſe continueing the Souldiers raiſed and Setled, as already Setled, it being upon revivalls already made.

The Clauſe wherein the Soldiers are Comanded to Obey all ordrs &c from the Lievt Govr or Comander in Chiefe with the Advice of the Councill, it being repugnant to Statute Law, and their Mas Letters Patents under the Great Seale of *England* relateing to the Militia.

and leaveing out that clauſe directing the Court and Military Officers to impriſon reward and puniſh ſuch as bring News, in place and Stead of which laſt clauſe, a clauſe Impowering County Courts to perform the ſame.

By Order of the Councill

March the 29th 1693 *W. Edwards* Cl Genll Affly

Capt *Francis Clements* &c. waite upon the Councill & acquaint them, they are Ordered by the houſe of Burgeſſes to preſent to them, a Bill Entituled a Bill appointing a Treaſurer and deſire their Concurrence.

The Bill for aſcertaining the Price of Coaſting Cocketts and requireing Officers Attendance read the Second time, and is agreed to with theſe Amendments *vizt*

That in the third line the word Coaſting be put before the Word *permitts*, and left out before the word *Cocquetts*.

That inſtead of the *&c* in the 9th and all other lines be put, the words, or other Veſſells

That the Word *Coaſting* in the Eleventh line be put before the word *permitt* in the 10th line

That

That in the 11th line, after the words, *Current Money*, be put, except for the Enumerated Comodities according to Law,

That after the Word, *Ships* in the 26th line be put Sloopes or other Veſſells.

That Inſtead of the words, *upon all occaſions* in the laſt line, be put at all lawfull times.

A Bill Entituled, A Bill appointing A Treaſurer was read, and Ordered to be read a Second time.

March the 30th 1693

Preſent

HIS Excy the Govr, *Ralph Wormeley* Sec., *William Byrd*, *John Lear*, *Edward Hill*, *Henry Whiteing*, *Edmund Jenings*, *Henry Hartwell*, *Richard Lee* Eſqrs

The Bill for giveing incouragement to Erect Fulling Mills read the Second time, and Ordered that the Clerke of the Generall Aſſembly carry the ſame to the houſe of Burgeſſes endorſt thus

Virga March the 30th 1693 *By the honoble their Mas Councill*

This Bill is agreed to

By Order of the Councill

W. Edwards Cl Genll Aſſby

Ordered that the Clerke of the Genll Aſſembly carry the Bill for aſcertaining the price of Coaſting Cocquetts and requireing Officers Attendance to the houſe of Burgeſſes with the following Amendments.

By the honoble their Mas Councill

Mr Speaker *and Gent of the houſe of Burgeſſes*

The Bill for aſcertaining the price of Coaſting Cocquetts and requireing Officers Attendance is agreed to with theſe following Amendments *viz*t

That in the third line, the word Coaſting be put before the word *permitts*, and left out before the word *Cocquetts*.

That inſtead of the &c in the 9th line and all other lines, be put the words, or other Veſſells

That the word *Coaſting* in the 11th line be put before the word *permit* in the 10th line

That in the 11th line after the Words *Currant Money* be put except for the Enumerated Comodities, according to Law.

That after the Word *Ships* in the 26th line, be put Sloops or other Veſſells

That inſtead of the words *upon all occaſions* in the laſt line, be put at all lawfull times.

March 30th 1693 By Order of the Councill

W Edwards Cl Genll Aſſly

The Bill for the Incourageing the Erecting of a Poſt Office in this Countrey read the Second time, and agreed to with theſe Amendments and Additions *viz*t

That inſtead of the Words following the Words, *that is to ſay*, in the Second line of the Second Sheete to the End of that Paragraph, the following words be inſerted, for the port of every Letter not exceeding one Sheete to or from any place not exceeding fourſcore *Engliſh* Miles diſtance from the place where ſuch Letter ſhall be received 3d & for the like port of every Letter not exceeding two Sheetes ſix pence, and for the like port of every pacquet of Letters proportionably unto the ſaid Rates, that is to ſay for every Sheete exceeding two Sheetes to advance three pence and no more and for the like Port of every pacquett of Writts Deeds and other things after the rate of twelve pence for every ounce weight, and for the Port of every Letter not exceeding one Sheet above the diſtance of fourſcore *Engliſh* Miles from the place where the ſame ſhall be received four pence halfe penny, and for the like port of a letter not exceeding two Sheetes

Sheetes nine pence, and proportionably to the ſame rates for the like port of all Pacq^{ts} of Letters that is to ſay, for every Sheete exceeding two Sheetes to advance four pence halfe penny and no more, and for the like port of every Pacquett of Writts Deedes and other things after the rate of Eighteene pence for every ounce weight.

The Bill for Seateing certaine Lands on the South-ſide *James* River and *Pomunky* Neck, read the third time, and being taken into Conſideration is not agreed to.

The Bill for Altering the firſt day of the Gen^{ll} Court in ſome caſes, and alſo of County Courts read the Second time, and being taken into Conſideration, is not agreed to.

March the 31th 1693

Preſent

HIS Ex^{cy} the Govr, *Ralph Wormeley* Sec^{r}., *William Byrd, John Lear, Edward Hill, Henry Whiteing, Edmund Jenings, Henry Hartwell, Richard Lee* Eſq^{rs}

Ordered that the Clerke of the Gen^{ll} Aſſembly carry the Bill for Seating certaine Lands on the South-ſide *James* River and *Pomunky* Neck to the houſe of Burgeſſes endorſt thus

By the hono^{ble} their Ma^{s} Councill *March* the 30th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen^{ll} Aſſ^{ly}

Ordered that the Clerke of the Gen^{ll} Aſſembly carry the Bill for Altering the firſt day of the Gen^{ll} Court in ſome caſes and alſo of County Courts to the houſe of Burgeſſes endorſt thus

By the hono^{ble} their Ma^{s} Councill *March* the 30th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen^{ll} Aſſ^{ly}

Ordered that the Clerke of the Gen^{ll} Aſſembly carry the Bill for Advancement of Coines to the houſe of Burgeſſes endorſt thus

By the hono^{ble} their Ma^{s} Councill *March* the 28th 1693

This Bill is not agreed to

By Order of the Councill

W Edwards Cl Gen^{ll} Aſſ^{ly}

The Bill appointing a Treaſurer read the ſecond time, and Ordered that the Clerke of the Gen^{ll} Aſſembly carry the ſame to the houſe of Burgeſſes endorſt thus

By the hono^{ble} their Ma^{s} Councill *March* the 31th 1693

This Bill is not agreed to.

By Order of the Councill

W Edwards Cl Gen^{ll} Aſſ^{ly}

Ordered that the Clerke of the Gen^{ll} Aſſembly carry the Bill for the Incourageing the Erecting of a Poſt Office in this Countrey to the houſe of Burgeſſes with the following Amendments

By the hono^{ble} their Ma^{s} Councill

Mr Speaker *and Gent of the houſe of Burgeſſes*

The Bill for the Incourageing the Erecting of a Poſt Office in this Countrey is agreed to with theſe Amendments and Additions *vizt*

That Inſtead of the Words following the words, *that is to ſay* in the Second line of the Second Sheete to the End of that Paragraph, the following Words be inſerted, for the Port of every Letter not exceeding one Sheete to or from any place not exceeding fourſcore *Engliſh* Miles diſtance from the place where ſuch letter ſhall be received three pence, and for the like port of every Letter not exceeding two Sheetes ſix pence, and for

the

the like port of every pacquett of Letters proportionably unto the ſaid rates, that is to ſay for every Sheete exceeding two Sheetes to advance three pence and no more, and for the like port of every Pacquett of Writts Deeds and other things after the rate of twelve pence for every ounce weight, and for the port of every letter not exceeding one Sheete above the diſtance of fourſcore *Engliſh* Miles from the place where the ſame ſhall be received four pence halfe penny, and for the like port of a Letter not exceeding two Sheetes nine pence, and proportionable to the ſame rates for the like port of all Pacquetts of Letters that is to ſay for every Sheete exceeding two Sheetes to advance four pence halfe penny and no more, and for the like Port of every Pacquett of Writts Deeds and other things after the rate of Eighteene pence for every ounce weight,

and that inſtead of the Words, *in the Severall parts* in the End of the third and begining of the fourth line of the third Sheete be incerted, into the Severall Poſt Offices in the reſpective Counties

March the 31ſt 1693

By Order of the Councill
W. Edwards Cl Genll Aſſly

Ordered that the Clerke of the Genll Aſſembly carry the reſolve about his Excy the Govrs Liquors &c. to the houſe of Burgeſſes endorſt thus

By the honoble their Mar Councill *March* the 31th 1693

This Reſolve is not agreed to

By Order of the Councill
W. Edwards Cl Genll Aſſly

Major *Thomas Youel* &c waite upon the Councill and preſent a Bill for Continueing the Rangers at the heads of the four great Rivers, and deſire their Concurrence.

Capt *William Leigh* &c. waite upon the Councill and acquaint them the houſe of Burgeſſes had agreed to their Amendments in the Bills entituled

A Bill for Suſpending the Execution of the *Act for Ports* &c. and

A Bill for aſcertaining the price of Coaſting Cocqts and requireing Officers Attendance, and then delivered the ſaid Bills, and acquaint them the houſe had agreed to the firſt part of the Amendments in the Bill for Incourageing the Erecting of a Poſt Office in this Countrey, but did not agree to the laſt part of the Amendments, and therefore deſired a free Conferrence with ſome of the Councill about that part, as alſo about the Bill for Advancement of Coines, the Bill for ſeating certaine Lands on the Southſide *James* River and *Pomunky* Neck, and the Bill appointing a Treaſurer returned not agreed to.

And *Richard Lee*, *William Byrd*, *Edmund Jenings* and *Henry Hartwell* Eſqrs were appointed to Conferr with them about the ſaid Bills

---

Aprill the 1ſt 1693

Preſent

HIS Excy the Govr, *Ralph Wormeley* Sec., *William Byrd*, *John Lear*, *Edward Hill*, *Henry Whiteing*, *Edmund Jenings*, *Henry Hartwell*, *Richard Lee* Eſqrs

Richard Lee Eſqr &c. Reports from the Conferrence with the Members of the houſe of Burgeſſes thereto appointed that ſeverall Arguments had been uſed upon ſome of the Bills, and deſired that they might have ſome direction in the further management of the ſaid Conference.

On Conſideration whereof *it is Reſolved*, that they have liberty to agree to the Words, *in the Severall parts*, in the End of the third and begining of the fourth line of the third Sheete of the Bill for Incourageing the Erecting of a Poſt Office in this Countrey, without the laſt Amendment, the aforeſaid Words being to the ſame purpoſe, thô not ſo plain as thoſe propoſed.

Richard Lee Eſqr &c. Reports from the Conferrence that the Members of the houſe of Burgeſſes appointed to manage the ſaid Conference had not given any Sufficient Reaſons

Reaſons for Altering the Opinion of the Councill to the Bills, for Advancement of Coines for Seating certaine Lands on the Southſide *James* River and *Pomunky* Neck, nor the Bill appointing a Treaſurer

and that it was agreed the Bill for Incouraging the Erecting of a Poſt Office in this Countrey ſhould paſs without the laſt Amendment ſent by the Councill.

Ordered that the Clerke of the Gen^{ll} Aſſembly return to the houſe of Burgeſſes the Bill for Suſpending the Execution of the *Act for Ports &c.* and the Bill aſcertaining the price of Coaſting Cocquetts and requireing Officers Attendance, by the ſaid Houſe agreed to with the Amendments.

On reading the Claimes made this Aſſembly *Ordered* that the Clerke of the Gen^{ll} Aſſembly Enter in the Margin of the Booke againſt the propoſition of the Comittee of Claimes about the Services of the perſons appointed to looke out on the Seaboard Side of *Northampton* and *Princeſs Ann* Counties, this propoſition not agreed to by the Councill, and againſt the allowance to *William Drumond*, the Word *Meſſenger* to be left out, and that he Enter m^{r} Audit^{r} *Byrds* Clauſe of twenty five pounds *Sterli* paid *John Perry* A Meſſenger Imployed to *New York* according to agreement, and then Atteſt the ſaid Claimes thus.

By the Hono^{bl} their Ma^{s} Councill *Aprill* the 1^{ſt} 1693

Read and Approved with the Amendments

By Order of the Councill

W Edwards Cl Gen^{ll} Aſſ^{ly}

all which being accordingly done, *Ordered* that the Clerke of the Gen^{ll} Aſſembly return the booke of Claimes to the houſe of Burgeſſes.

The Bill for continueing the Rangers at the heads of the four great Rivers read, and *Ordered* that the Clerke of the Gen^{ll} Aſſembly carry the ſame to the houſe of Burgeſſes with the following Amendments

By the hono^{bl} their Ma^{s} Councill

Mr Speaker *and Gent. of the houſe of Burgeſſes*

The Bill for continueing the Rangers at the heads of the four great Rivers, is agreed to with the following Amendments *vizt*

That the preamble of the Bill be left out, and this inſerted, Whereas it is very Neceſſary and beneficiall for the defence of this their Ma^{s} Dominion, and the Inhabitants thereof, that the Rangers at the heads of the four great Rivers be Continued

that the word, *ſaid*, in the third line of the body of the ſaid Act be left out.

that the word, continued, be inſerted after the word, *be*, in the fourth line.

that the words, Levied or, be inſerted after the word, *Souldier*, in the Seventh line.

and that the wŏrds, raiſed or, be inſerted in the fifth line of the Second Sheete after the word *Forces*

Aprill the 1^{ſt} 1693 By Order of the Councill

W Edwards Cl Gen^{ll} Aſſ^{ly}

Capt *John Stith* &c waite upon the Councill and acquaint them, that the houſe of Burgeſſes agreed to the Amendments in the Bill for Continueing the Rangers at the heads of the four great Rivers.

Capt *Francis Clements* &c waite upon the Councill preſent the following Meſſage and deſire their Concurrence

By the houſe of Burgeſſes

May it pleaſe yor Hono^{r}

The houſe of Burgeſſes . . . . .[See J. of H. of B., p. 445.]

Capt *William Baſſett* &c. waite upon the Councill and preſent the Treaſurers accounts of four pence ℔ Gallon on Liquors and deſire their Concurrence thereto.

And the ſame being read and approved, *It is Ordered* that the Clerke of the Gen^{ll} Aſſembly ſo Atteſt them, and return them to the houſe of Burgeſſes.

Aprill

Aprill the 3d 1693

Preſent

HIS Excy the Govr, *Ralph Wormeley* Sec., *William Byrd*, *Edward Hill*, *Henry Whiteing*, *Edmund Jenings*, *Henry Hartwell*, *Richard Lee* Eſqrs

Capt *Miles Cary* &c. waite upon the Councill, preſent A Bill for raiſeing a Publick Levy, and deſire their Concurrence, alſo delivered the proportion of the Levy for their Approbation.

Capt *Miles Cary* &c waite upon his Excy and pray that he will Signifye his pleaſure, whether the Ingroſſed Bills ſhall be ſent him for his peruſall before they be publiſhed or not, to which his Excy replyed, he expected them.

Ordered that the Clerke of the Genll Aſſembly endors the Bill for raiſeing a Publick Levy, and the proportions of the Levy, agreed to, and return them to the houſe of Burgeſſes.

Capt *William Leigh* &c waite upon his Excy the Govr and the Councill, and deliver them the Bills made this Seſſion of Aſſembly Ingroſſed in Parchment, and the Bills from which they are Ingroſſed, for their peruſall, and the ſame being examined, *Ordered* that the Clerke of the Genll Aſſembly return the Ingroſſed bills to the houſe of Burgeſſes.

His Excy propoſed to the Councill if any thing more were to be Offerred to the houſe of Burgeſſes before their breakeing up and it was anſwered noething now remained to be ſaid to them.

Ordered that the Clerk of the Genll Aſſembly goe to the houſe of Burgeſſes and acquaint them, that his Excy the Govr Comands their Attendance in the Genll Court houſe, where they being come Mr *Speaker* ſaid

May it pleaſe yor Excy

The honoble Councill have been pleaſed with the Burgeſſes to agree upon ſeverall Acts which they have Judged Conducible to the Peace Defence and Welfare of this their Mas Dominion, and their Mas Loyall Subjects here reſiding, which I here in the name of the Burgeſſes preſent to yor Excy Ingroſſed in Parchment, and pray in their behalfe that they may receive yor Excys Stamp towards their Authentication

1: *An Act for Suſpending the Execution of the* Act for Ports &c

2: *An Act concerning Indians hoggs*

3: *An Act for giveing Incouragement to Erect Fulling Mills*

4: *An Act for aſcertaining the price of Coaſting Cocquetts and requireing Officers Attendance*

5: *An Act Incourageing the Erecting a Poſt Office in this Countrey.*

6: *An Act for continueing the Rangers at the heads of the four great Rivers*

7: *An Act for a Levy by the Pole, which is for the defraying of the publick Charge of the Countrey*

All which the Clerk Attends to read if yor Excy ſo pleaſe which being Ordered

And the ſaid Severall Acts being read, the ſame were aſſented to by his Excy and ſigned by his Excy and the Speaker, which done, his Excy diſolved the Aſſembly

Copa Vera

Teſt W. Edwards Cl Genll Aſſbly

191-192

ATT A

GEN^{LL} ASSEMBLY

begun att *James Citty* the 10th day of *Octo^{r}* 1693, and on the ffifth year of the Reign of Our Sovereign Lord and Lady *William* and *Mary* by the Grace of God of *England, Scotland, ffrance, Ireland* and *Virginia* King and Queen Defenders of the ffaith &c^{a}

[From the Public Record Office, *London*, Colonial Office, Ciafs 5, Vol. 1407, pp. 1003-1062.]

Att a Gen^{ll} Aſſembly begun att *James Citty* the 10th day of *Octo^{r}* 1693, and on the ffifth year of the Reign of Our Sovereign Lord and Lady *William* and *Mary* by the Grace of God of *England, Scotland, ffrance, Ireland* and *Virginia* King and Queen Defenders of the ffaith &c^{a}

[*October* 10th, 1693.]

Preſent

HIS Excell^{cy}, Mr Sec^{r} *Wormley, Edward Hill, Edm^{o} Jenings, Hen: Hartwell* Eſq^{rs}

Ordered that a Comiſſion be prepared Appointing and Impowring *Edward Hill Edm^{o} Jenings* and *Hen: Hartwell* Eſq^{rs} or any two of them to Adminiſter the Vſeuall Oaths, to the members of the houſe of Burgeſſes and by reaſon of the thinneſs of the Houſe, they are to Acquaint them that they Adjorne themſelues till the 12th Inſtant.

Gen^{ll} Courthouſe *Octo^{r}* 12th 1693

Preſent

HIS Excell^{y}, Mr Sec^{r} *Wormley, Edward Hill, Edm^{o} Jenings, Hen: Hartwell* Eſq^{rs}

James Sherlock producing His Excell^{ys} Comiſſion in the Gen^{ll} Court houſe and hauing taken the Oaths Appointed by Act of Par'lam^{t} to be taken, Inſtead of the Oaths of Allegiance and Supreamacy & Subſcribed the Teſt, was Sworne Clerk of the Gen^{ll} Aſſembly.

Ordred that the Clerk of the Gen^{ll} Aſſembly goe to the Houſe of Burgeſſes, and Acquaint them, that His Excell^{y} Comands their Imediate Attendance in the Gen^{ll} Court houſe

Where they being Come His Excell^{y} thus Expreſt himſelfe

Gent

I have receiued . . . . . [See J. of H. of B., 1659/60-93, p. 450.]

A Meſſage from the houſe by Coll *ffitzhugh* &^{a} Acquainting his Excell^{y} that they had Choſen a Speaker and prayed to know when they ſhould preſent him to his Excell^{y} His Excell^{y} Appointed 3 of the Clock in the Afternoone att the Gen^{ll} Court houſe.

Gen^{ll} Court houſe [*Poſt Meridiem*].

Preſent

HIS Excell^{y}, Mr Sec^{r} *Wormley, Edward Hill, Edm^{o} Jenings, Hen: Hartwell* Eſq^{rs}

Ordred that the Cl of the Gen^{ll} Aſſembley go to the houſe of Burgeſſes & Acquaint them His Excell^{y} is come to the Gen^{ll} Court houſe to receiue the preſentation of their Speaker.

Coll *Thomas Milner* wth the houſe of Burgeſſes waite upon his Excell^{y} in the Gen^{ll} Court houſe, and Acquaints his Excell^{y} that the houſe of Burgeſſes had choſen him for their Speaker, who being Approued by His Excell^{y} pray'd that the Antient & uſeuall priviledges of that houſe might be Continued to them.

His

His Excellᵛ Anſwred what priuilidges they haue, or Ought to injoy is Confirmed to them.

A Meſſage from the houſe by Capᵗ *William Leigh* &ᵃ praying a Copy of his Excellᵛᵉ Speech

Ordred that the Cl of the Genᴵˡ Aſſembley Carye to the houſe of Burgeſſes A Copy of his Excellᵛᵉ Speech.

Octoʳ yᵉ 13ᵗʰ

Preſent

HIS Excellᶜʸ, Mʳ Secʳ *Wormley, Edward Hill, Edmᵒ Jenings, Hen. Hartwell* Eſqᵉ

A Meſſage from the houſe by Capᵗ *William Lee* &ᵃ to Acquaint his Excellᵛ that mʳ *Daniell Park* being choſen for *James Citty* County and for the County of *York* Such Choſe to Serve for *Jame's Citty; York* being therby Vacant. therefore pray his Excellᵛ that a Writt may Iſſue for Electing a Member for *Yorke*, & further pray His Excellᵛ to Coñiſſionate Some perſons to Swear their Clerk.

Ordred that a Writt doe Iſſue Accordingly, and that a Coñiſſion be prepared Impowring *Edward Hill Edmᵈ Jenings & Hen: Hartwell* Eſqᵉ or any two of them to Swear the Clerk of the houſe of Burgeſſes.

A Meſſage from the houſe by Capᵗ *Will: Hardwich* &ᵃ praying his Excellᵛ to Coñunicate to the houſe yᵉ report of the Coñiſſioners of their Majᵗᵉ Cuſtoms, & other papers wᶜʰ his Excellᵛ mentioned in his Speech yeſterday.

Ordred that the Cl of the Genᴵˡ Aſſembley Carye the report of the Coñiſſioners of their Majᵗᵉ Cuſtoms & other papers to the houſe of Burgeſſes. Adjornd to Morrow 8 a Clock

---

Octoʳ 14ᵗʰ 1693

Preſent

HIS Excellᵛ, Mʳ Secʳ *Wormley, Edward Hill, Edmᵒ Jenings, Hen Hartwell* Eſqᵉ

An Addreſs from the houſe by Capᵗ *Anthony Armſtead* &ᵃ

May it Pleaſe yoʳ Excellᵛ

The houſe of Burgeſſes taking . . . . . [See J. of H. of B., p. 452.]

Ordred that the Cl of the Genᴵˡ Aſſembley Carye this following Anſwer to the Addreſs of the houſe of Burgeſſes about an officer to Attend the houſe

By His Excellᵛ

Mʳ Speaker

I haue Conſidered . . . . . [See J. of H. of B., p. 453.]

Octoʳ 18ᵗʰ 1693

Preſent

HIS Excellᵛ, Mʳ Secʳ *Wormley, Edward Hill, Edmᵈ Jenings, Hen Hartwell* Eſqᵉ

A Reſolue of the houſe of Burgeſſes by Capᵗ *Armſtead* &ᵃ

May it Pleaſe yoʳ Honʳˢ

The houſe of Burgeſſes haue . . . . . [See J. of H. of B., p. 458.]

Octoʳ yᵉ 19ᵗʰ 1693

Preſent

HIS Excellᵛ, Mʳ Secʳ *Wormly, Edwᵈ Hill, Edmᵒ Jenings, Hen: Hartwell* Eſqᵉ

Ordred that the Cl of the Genᴵˡ Aſſembley Carie to the Houſe this following Anſwer to the reſolue of yeſterday.

By the Councill

Mʳ Speaker

Wee receiued a reſolue . . . . . [See J. of H. of B., p. 459.]

Octʳ

*Octo*r ye 23^{d} 1693

Preſent

HIS Excell^{cy}, Mr Sec^{r} *Wormley, Edward Hill, Hen: Whiting, Edm^{o} Jenings, Hen: Hartwell, Richd Lee,* Eſq^{rs}

Mr *William Edwards* preſents from the houſe the following Acts wch the houſe of Burgeſſes haue paſſed and deſire the Concurãnce of the Councill

An Act for Building Churches & Chapells read ye firſt tyme.

An Act for the laying Out Gleebs in Each pariſh and for Aſcertaining the Miniſters Salary, read the firſt tyme.

An Act ſhowing how Miniſters muſt be quallified, and by whome inducted. read the firſt tyme

An Act Appointing the Litergy to be read & read the firſt tyme

An Act Appointing Miniſters to preach Weekly & duly to Adminiſter the Sacraments. read the firſt tyme.

An Act for the Effectuall Surpreſſing the prophanation of the Sabath day, Curſing, Swearing, & Drunkenneſs. read the firſt tyme

An Act Appointing Veſtrys. read the firſt tyme

An Act Appointing Church Wardens to keep the Church in repaire and to provide Books & Ornaments for ye Same. read ye firſt tyme

An Act Appointing Regiſters to be kept by the Miniſter or reader in Each pariſh. read the firſt tyme.

An Act prohibiting priuate burialls. read the firſt tyme.

An Act Appointing Mariages to be made by Miniſters Only & to be authoriſed by lycence or publiſhing the banes. read the firſt tyme.

An Act declaring how lycences for Mariages ſhall Iſſue read ye 1^{ſt} tyme

An Act prohibiting Sereuants Mariages without Conſent of their Maſters. read the firſt tyme

An Act againſt ffornication read the firſt tyme.

An Act declaring that Baptiſm of Slaues doth not Manumitt or ſett them ffree. read the firſt time

---

*Octo*r 24th 1693

Preſent

HIS Excell^{y}, Mr Sec^{r} *Wormley, Richd Lee, Edwd Hill, Hen: Whiting, Edm^{o} Jenings, Hen: Hartwell* Eſq^{rs}

Capt *Epps* &^{a} Preſents from the houſe the two following Acts wch the houſe of Burgeſſes haue paſſed and diſſire ye Concurrence of the Councill

An Act for the Encouragment of the manifacture of Lyning Cloath. read the firſt tyme

An Act for Continuing the Rangers att the heads of the fouer great Rivers. read the firſt tyme.

---

*Octo*r 25th 1693

Preſent

HIS Excell^{y}, Mr Sec^{r} *Wormley, Richd Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^{o} Jenings, Hen Hartwell* Eſq^{r}

An Act for Building of Churches & Chappells. read a Second tyme

An Act for laying out Gleebes in each pariſh & for Aſſcertaining the Miniſters Salary. read the Second tyme.

An Act Shewing how Miniſters muſt be qualified & by whome inducted. read a ſecond tyme

An Act Appointing the Liturgy to be read. read a Second tyme.

An

An Act Appointing Miniſters to preach Weekly and ducly to Adminiſter the Sacraments. read a Second tyme.

An Act for the Effectuall Surpreſſing the prophanation of the Sabath day, Curſing Swearing & drunkenefs. read a Second tyme.

An Act Appointing Veſtrys read a Second tyme.

An Act Appointing Church Wardens to keep the Church in repaire & to prouide books & Ornaments for ye Same. read 2^d^ tyme.

An Act Appointing Regiſters to be kept by the Miniſter or Reader in Each Pariſh. read a Second tyme.

An Act Prohibiting priuate Burialls read a Second tyme.

An Act Appointing Mariages to be made by Miniſters only, & to be Authoriſed by lycence or publiſhing the Banes, read the Second tyme.

An Act declaring how lycences for Mariages ſhall Iſſue. read the Second tyme.

An Act prohibiting Seruants Mariages without Conſent of their Maſters. read the Second tyme.

An Act againſt ffornication read the Second tyme.

An Act declaring that Baptizme of Slaves doth not Manumit or Sett them ffree. read the Second tyme.

---

*Octo^r^* 26th 1693

Preſent

HIS Excell^y^, Mr Sec^r^ *Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o^ Jenings, Hen Hartwell* Eſq^a^

Capt *Barber* &c^a^ Preſents from the houſe the following Acts wch the houſe of Burgeſſes haue paſſed & deſire the Concurrence of the Councill.

An Act Appointing the method of holding Courts. read ye firſt tyme

An Act Appointing the Courts to prouide Law Books. read ye firſt tyme

An Act proportioning the Iſſuing of Writts read ye firſt tyme.

An Act Aſſcertaining the tyme for filing Declarations in the Gen^ll^ Court. read ye firſt tyme

An Act Appointing Adiornments in Gen^ll^ Courts to the two laſt dayes of the Court, for References, read ye firſt tyme

An Act declaring how & where Criminalls ſhall be tryed. read firſt tyme.

An Act declaring how Appeals ſhall be made. read ye firſt tyme

An Act Appointing the Value Each Court ſhall haue Juriſdiction off. read ye firſt tyme.

An Act Shewing when Subpenas & dedimus poteſtatem *ſhall Iſſue.* read the firſt tyme,

An Act Appointing County Courts, read ye firſt tyme.

An Act Appointing how Actions are to be Entred at County Court and what tyme the Declaration is to be Entred. read the firſt tyme.

An Act Appointing the Declaration and Anſwer to be filed. read ye firſt tyme.

An Act prohibiting priuate Courts read ye firſt tyme

An Act Appointing all Tryalls to be by Juries. read ye firſt tyme

An Act Appointing Grand Juries to preſent Ofenders. read ye firſt tyme.

An Act Comanding Pilories Stocks, ducking Stooles to be Erected in Each County. read the firſt tyme.

An Act Appointing a Priſon to be built in Each County and Aſſcertaining their Rules. read ye firſt tyme.

An Act for Supreſſing of Vagabonds & binding poore Children to Trades, read ye firſt tyme.

An Act allowing Judgments Acknowledg'd before two Juſtices to be good. read the firſt tyme.

An Act Appointing when & by whome a Superſedias *ſhall be granted.* read ye firſt tyme.

An

An Act for the punifhing of Euidences not Appearing upon Sum̃ons. read the firft tyme

An Act Shewing how a dedimus poteftatem *fhall iffue.* read 1ft tyme

An Act Impowring Juftices to grant Attachments, read ye firft tyme.

An Act directing how Executions & Attachments upon an Order of the Genll Court, muft Iffue. read the firft tyme.

An Act Setting forth the Extention of Juftices Warrants in the Apprehention of Runaway's. read ye firft tyme.

An Act Appointing Sheriffs. read ye firft tyme.

An Act Impofing a penalty on Sheriffs not makeing Sufficient returnes, or makeing falfe returnes, read ye firft tyme.

An Act Appointing when the returne of Non Eft Inuentus *fhall be Allowed* read ye firft tyme.

An Act prohibiting Arrefts to be made, On Sundays *Holy days att Genll Mufters or att the Election of Burgeffes.* read firft tyme.

An Act Appointing the tymes for demand & tenders of Tobacco read ye firft tyme

An Act Appointing publick Leuies to be firft paid. firft tyme.

An Act Appointing how Appraifment of goods Seized by Execution fhall be made. read ye firft tyme.

An Act Impowering Perfons under Execution to redeeme their Bodys wth their Eftates. read ye firft tyme.

An Act Impofing ffines on Sheriffs Concealing Tythables read ye firft tyme.

An Act Affertaining Sheriffs ffees read ye firft tyme.

An Act Appointing A Coroners ffee. read ye firft tyme.

An Act prohibitting Sheriffs, Juftices, Clerks, to be Attorny's in the Court where they Officiate. read ye firft tyme.

Octor 31ft 1693

Prefent

HIS Excellcy, Mr Secr *Wormley, Richard Lee, Edward Hill, Chr. Wormely, Edme Jenings, Hen: Whiting, Hen. Hartwell* Efqe

Capt *William Lee* prefents from the houfe the ffollowing Acts wch the houfe of Burgeffes haue paffed & defire the Concurrence of the Councill

An Act Appointing how Writts for the Election of Burgeffes Ought to be publifhed.

An Act Appointing the Secry to Convey the Writts for Burgeffes

An Act Affcertaining the Number of Burgeffes

An Act ffreeing Burgeffes & their Seruants from Arrefts and Affcertaining their Wages

An Act Appointing how publick Claimes fhall be Certified. for allowance in the Affembley.

An Act Appointing how the lift of Tythables muft be taken

An Act declaring when Negros & Molatto's are tythable.

An Act Comanding Engliſh *weights & meafures to be prouided in Each County*

An Act Impowering County Courts to grant probates of Wills and Adminiftrations.

An Act Eftablifhing Widdow's Dowers.

An Act requiring the Courts to take Care of Orphans and their Eftates.

An Act for preferuing & Securing Orphans Lands.

An Act fhowing how rights are to be proued & differted land when to be granted.

An Act relating to thofe that by miftake Seat upon other mens Lands.

An Act prohibitting Shooting or ranging upon other mens Lands

An Act declaring Land fiue years in quiet pofeffion to be a good Barr againft all pretenders.

An Act Confirming Imperfect Patents.

An Act declaring what Seating is, & in what tyme it Ought to be made.

An Act againft ffraudulent Conueyances

An

An Act Comanding all Conueyances made in England *to be recorded in the Secretarys Office*

An Act Impowering feme Couerts *to make good Acknoledgments of the Sales of land*

An Act declaring the duty of Surveyors & Affcertaining their ffees.

An Act Appointing Proceffioning

An Act declaring what ffences ſhall be Sufficient

An Act Impowring the Courts yearly to Appoint Surveyors for high wayes.

An Act to preuent the Caſting of Ballaſt into Riuers & Creeks

An Act declaring how longe Judgments Speciallties & Accounts ſhall be pleadable.

An Act Conferning fforeign Debts.

An Act declaring how farr Accompts & Noates are pleadable againſt Dead Mens Eſtates

An Act Ordring how phiſitians & Surgeons Accompts are to be made.

An Act allowing diſcounts to be made in Court

An Act Conferning priority of payment to Countrey Creditors & Entertainment of Perſons without Agreement.

An Act declaring that Marking Tobacco transferrs the property.

An Act Appointing Attorneys for fforeigners to give Security to pay all Coſts and Damages.

An Act Allowing Fifteen ℔ Cent Damages upon proteſted Bills of Exchange

An Act regulating the Sizes & tares of Tobacco hhds

An Addreſs from ye houſe by Capt *William Lee* &c

*To His Excell^y^*

The humble Addreſs of the houſe of Burgeſſes

Their Maj^ts^ Dutifull . . . . . [See J. of H. of B., pp. 470-1.]

---

*Novem^r^* 1^ſt^ 1693

Preſent

HIS Excell^y^, m^r^ Sec^r^ *Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm^o^ Jenings, Hen: Hartwell* Eſq^rs^

An Addreſs from the houſe by Capt *Randolph* &^c^

*To His Excell^y^ S^r^* Edmund Andros *Kn^t^ their May^ties^ Leiu^t^ & Governor Gen^ll^ of* Virginia

*May it Pleaſe yor Excell^y^*

It hauing been preſented . . . . . [See J. of H. of B., p. 474.]

An Act for Continuing the Rangers att the heads of the four greate Rivers read a Second tyme

An Act for the incouragement of the Manifacture of Lyning Cloath, read a Second tyme.

Capt *William Randolph* &^a^ preſents from the houſe the following Acts wch the houſe of Burgeſſes haue paſſed, and diffire the Concurrence of the Councill

An Act againſt diuulgers of falce news.

An Act puniſhing Offenders for defaming ye Gou^r^ Councellors and Other principall Officers.

An Act regulating Ordinary keepers

An Act declaring how long Seruants ſhall Serue comeing in without Indentures

An Act Prohibiting Maſters dealing wth their Seruants

An Act Prohibiting Maſters Crewelty to their Seruants,

An Act againſt runaways, & laying a penalty upon thoſe that ſhall Entertain them

An Act declaring Negros, Moores Molatto's & Indian Slaues

An Act to preuent the Inſurection of Negros, & for Suppreſing out lying Slaues.

An Act for the more Speedy proſecution of Slaues Committing Capitall Crymes.

An Act forbiding Tobacco planting after the laſt of June *& prohibiting the tending of Seconds or Slipps*

An

An Act declaring how those that take up Stray horses Cattle & boates &ª shall publish the Same.

An Act allowing Land for Erecting Grist Mills, fulling Mills and Court houses.

An Act against Exacting Millers.

An Act against hogstealing

An Act Concerning the Granting off passes to persons departing the Countrey.

An Act Ascertaining the Secretary's, Clerk of County Courts & Clerk of the Assemblys fees.

An Act for Naturalization.

An Act for peices of Eight to pass for fiue Shillings.

An Act for the better Supply of the Countrey wᵗʰ Armes Amunition & furniture

An Act giuing reward for killing Wolues

An Act restraining the Impress of Timber, boats, &ª

An Act for raising a publick reuenue for the better Support of the Gouerment.

An Act for Collectors fees.

An Act forbiding Maryland *Vessells trading into this Countrey without makeing due Entrey.*

An Act Concerning Indians.

These following Bills being read a third tyme, and Severall Amendments made therupon, *Ordred* that the Clerk of the Generall Assembley do Carie the said Bills to the house of Burgesses wᵗʰ the Amendments.

An Act for Building of Churches & Chappells

An Act for the laying out Glebes in Each Parish and for Ascertaining the Ministers Salary.

An Act showing how Ministers must be qualified and by whome Inducted.

An Act Appointing the Liturgy to be read

An Act Appointing Ministers to preach Weekly and duly to Administer the Sacraments.

An Act for the Effectuall Surpressing the Prophanation of the Saboth day, Cursing Swearing & drunkennes

An Act Appointing Vestry's

An Act Appointing Church Wardens to keepe yᵉ Church in repaire, and to prouide Books & ornaments for the Same

An Act Appointing Registers to be kept by yᵉ Minister or Reader in Each Parish.

An Act prohibiting priuate Burialls. laid aside

An Act Appointing Mariages to be made by Ministers only & to be Authorized by Lycence or publishing yᵉ banes.

An Act declaring how Lycences for Mariages shall Issue.

An Act prohibiting Seruants Mariages without Consent of their Masters.

An Act against fornication.

An Act declaring that Baptizm of Slaues doth not Manumitt or sett them free.

Novemr 2d 1693

Present

HIS Excellᵛ, Mr Secr *Wormley, Richard Lee, William Byrd, Edward Hill, Chr: Wormley, Hen: Whiting, Edmº Jenings, Hen: Hartwell*

Ordred that the Clerk of the Genll Assembley Carie the following Answer to the Address of the house yᵉ 31st of *Octor*

By His Excellᵛ

Mr Speaker

ffor Answer . . . . . [See J. of H. of B., p. 477.]

Ordred that the Clerk of the Genll Assembly goe to the house of Burgesses & Acquaint them that His Excellᵛ Comands their Imediate Attendance in yᵉ Councill Chamber where they being come His Excellᵛ thus Expreſt himselfe

Mr Speaker *& Gent of yᵉ house of Burgesses*

Hauing in *Aprill* last . . . . . [See J. of H. of B., p. 482.]

Novemr

*Novem*r 3d 1693

Preſent

HIS Excellv, mr Secr *Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm*o *Jenings, Hen: Hartwell* Eſqrs

A Reſolve of the houſe of Burgeſſes by Coll *ffitzhugh* &a

By the houſe of Burgeſſes

Reſolued that His Excellv be Addreſt that he will be pleaſed to Comunicate to the houſe in Writing ye Subſtance of his Speech this day deliuered to them in ye Councill Chamber, and that he will further fauor the houſe, wth her Majtys Letter or a Copie thereof relating to ye Same.

*Nov*r 2d 1693 *Teſt Peter Beuerly* Cl H. Burg

Ordred that the Clerk of the Genll Aſſembley to Carye to the houſe of Burgeſſes, a Copy of His Excellcys Speech and the Queens Letter.

---

*Nouem*r 4th 1693

Preſent

HIS Excellv, Mr Secr *Wormley, Richard Lee, Edward Hill, Chr: Wormley, Hen: Whiting, Edm*o *Jenings, Hen: Hartwell* Eſqrs

Coll *ffitzhugh* &a pray a Conference wth ye Councill upon the Amendments of Some of the Bills ſent back to them Appointed, att fouer a Clock in the after Noone and mr Secretary *Wormley Richard Lee Edward Hill*, and *Hen: Hartwell* Eſqrs to manage the Conference

Mr Secretv *Wormley* reports from the Conference. that Coll *ffitzhugh* and Capt *Leigh* two of the Conferees did Acquaint the Councill that the houſe of Burgeſſes had Agreed to ye 3. 4. 5. 6. 7. 11. 12. 13. & 14 Bills, and that the houſe could not agree to the Councills Amendments and Alterations, on the Other Bills, & that the Burgeſſes, becauſe itt was a Matter of uery great Moment deſired not to make any further progreſs, till they had reported to ye houſe the reaſons & Anſwers of the Councill upon this debate, & agreed to have a Conference to Morrow in ye afternoone

---

*Nouem*r 5th 1693

MR Secv *Wormley* Reports from the Conference that the Members of the houſe of Burgeſſes who were Appointed to Confer wth the Councill upon the Subject Matter on the Amendments of the Seuerall Bills debated yeſterday att the Conference, did Accquaint the Councill, that the Seuerall Amendments to the former Bills (Except the Bill, for laying out of Gleebs in Each pariſh & for Aſſcertaining the Miniſters Salary) were agreed to. And that the Bill for Prohibiting priuate Burialls was agreed to be laid aſide, as propoſed by the Councill, and as to the Bill for laying Out Gleebes in Eurey pariſh and Aſſcertaining the Miniſters Salary, the houſe did ſo far agree, that inſtead of 40ll ℔ pole it might be 30 ℔ pole & after Seuerall Arguments the Gentlemen did Accquaint the Councill that the houſe of Burgeſſes would not receed from a Uote of their houſe made thereon, but that they were Impowered to Agree for the Allowance of 16000ll of tobacco, and the Councill propoſing, that the Same might be paid them without Charge, itt was Agreed that the Said Allowance of 16000ll of tobacco, ſhould be Collected & paid by the Church Wardens of the reſpectiue pariſhes, without Charge or defaulcation

*Nouem*r

*Nouem*r 6th 1693

Prefent

HIS Excell*y*, M*r* Sec*r* *Wormley, Richard Lee, Edward Hill, Hen: Whiting, Hen: Hartwell* Eſq*r*

Ordred that the Clerk of the Gen*ll* Aſſembley Carie the ffollowing Anſwer to the Addreſs of the houſe of Burgeſſes of 30th of *Octo*r paſt.

By the Councill

*M*r Speaker *& Gent. of the houſe of Burgeſſes*

His Excell*y* hauing upon the receipt . . . . . [See J. of H. of B., pp. 480-1.]

---

*Nouem*r 7th 1693

Prefent

HIS Excell*y*, M*r* Sec*r* *Wormley, Richard Lee, Edward Hill, Hen: Whiting, Hen: Hartwell* Eſq*r*

An Act Appointing how Writts for the Election of Burgeſſes ought to be publiſhed. read the firſt tyme.

An Act Appointing the Secretary to Conuey the Writts for Burgeſſes. read the firſt tyme.

An Act Affcertaining the Number of Burgeſſes, read y*e* firſt tyme

An Act ffreeing Burgeſſes & their Seruants from Arrefts and Affcertaining their Wages, read the firſt tyme,

An Act Appointing how publick Claimes ſhall be Certified for allowance in the Aſſembley, read the firſt tyme

An Act appointing how the liſts of tythables muſt be taken, read the firſt tyme.

An Act declaring when Negros, & Mallatto's are tythable read the firſt tyme.

An act Comanding Engliſh *Weights & Meaſures to be prouided in Each County,* read the firſt tyme

An Act Impowering County Courts to grant probates of Wills & Adminiſtrations, read the firſt tyme.

An Act Eſtabliſhing Widdows Dower's, read y*e* firſt tyme.

*An Act Requiring y*e *Courts to take Care of Orphans and their Eſtates* read the firſt tyme.

An Act for Preſeruing & Securing of Orphans Lands, read the firſt tyme.

An Act ſhowing how Rights are to be proued & deſerted Land when to be Granted, read y*e* firſt tyme.

An Act relating to thoſe that by miſtake ſeat upon other mens Lands, read y*e* firſt tyme.

An Act prohibiting Shooting or Ranging upon other Men's Lands, read the firſt tyme.

An Act declaring Land fiue years in quiett poſſeſion to be a good bar againſt all pretenders, read the firſt tyme.

An Act Confirming Imperfect Pattents, read y*e* firſt tyme

An Act declaring what Seating is & in what tyme itt Ought to be made, read y*e* firſt tyme.

An Act againſt ffraudulent Conueyances, read y*e* firſt tyme

An Act Comanding all Conueyances made in England *to be recorded in the Secretarys Office,* read y*e* firſt tyme.

An Act Impowering ffeame Couerts *to make good Accknoledgments of the Sale of land,* read the firſt tyme.

An Act Declaring the Duty of Surueyors & Affcertaining their ffees, read y*e* firſt tyme.

An Act Appointing Proceſſioning read the firſt tyme

An Act declaring what fences ſhall be Sufficient read y*e* firſt tyme.

An Act Impowering the Courts yearly to Appoint Surueyors for high wayes, read the firſt tyme.

An Act to preuent the Caſting of Ballaſt into Riuers and Creekes, read the firſt tyme.

An Act declaring how long Judgments Specialties & Accompts ſhall be pleadable, read the firſt tyme.

An

An Act Concerning fforeign Debts, read ye firſt tyme

An Act Declaring how far Accompts & notes are pleadable againſt dead mens Eſtates, read the firſt tyme.

An Act Ordering how Phiſitians & Surgeons Accompts are to be made, read the firſt tyme

An Act Allowing diſcounts to be made in Court. read ye firſt tyme

An Act Concerning priority of payment to Countrey Creditors and Entertainment of perſons without Agreement, read ye firſt tyme.

An Act declaring that Marking Tobacco transfer's the property, read the firſt tyme.

An Act Appointing Attorneys for fforeigners to giue Security to pay all Coſts & Damages, read the firſt tyme.

An Act Allowing fifteen ℔ Cent *damages upon proteſted Bills of Exchange*, read the firſt tyme.

An Act Regulating the Sizes & tares of Tobacco hhds read 1^ſt^ tyme

An Act againſt diuulgers of falſe Newes, read ye firſt tyme

An Act puniſhing Offenders for Defaming the Gou^r^ Councillers & other principall Officers, read ye firſt tyme.

---

*Nouem^r^* 8th 1693

Preſent

HIS Excell^y^, Mr Sec^r^ *Wormley, Richard Lee, Edward Hill, Hen Whiting, Edm^o^ Jenings, Hen Hartwell* Eſq^ſ^

The two ffollowing Bills being read a third tyme & Some Amendments made therupon. *Ordred* that the Clerk of the Gen^ll^ Aſſembley doe Carie the ſaid Bills to the houſe of Burgeſſes wth the Amendments

An Act for the incouragment of the manifacture of lyning Cloath.

An Act Appointing Rangiers att the ffrontiers of the fouer greate Riuers,

Signed by Order of the Councill

Dat. ye 8th *No^r^* 1693 *James Sherlock* Cl G. Aſſem^y^

Coll *ffitzhugh* &^c^ returne the two ffollowing Bills wth their Amendments. Agreed to by the houſe of Burgeſſes

A Bill for the Encouragment of the Manifacture of Lyning Cloath. Aſſented to by the Councill.

A Bill Appointing the Rangers att the ffrontiers of the fouer great Riuers. Aſſented to by the Councill,

The ffollowing Bills being read a third tyme and Seuerall Amendments made therupon. *Ordred* that the Clerk of the Generall Aſſembly doe Carie the Said Bills to the houſe of Burgeſſes, wth the Amendments.

An Act Appointing the Method of holding Courts.

An Act Appointing the Courts to prouide Law bookes laid aſide by the Councill

An Act declaring how & where Criminalls ſhall be tryed.

An Act declaring how Appeales ſhall be made.

An Act Appointing the Value each Court ſhall haue Juriſdiction of.

An Act proportioning the Iſſuing of Writts

An Act Appointing Adjournments in Gen^ll^ Courts to the two laſt dayes of the Court for references, laid aſide by the Councill.

---

*Novem^r^* 9th 1693

HIS Excell^y^, Mr Sec^r^ *Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm^o^ Jenings, Hen: Hartwell* Eſq^ſ^

Coll *ffitzhugh* &^a^ returnes the ffollowing Bills with their Amendments, agreed to by the houſe of Burgeſſes.

An Act Appointing the method of holding Courts

An

An Act Appointing the Courts to prouide law bookes, the houſe of burgeſſes agree that itt be laid Aſide

An Act proportioning the Iſſuing of Writts

An Act Appointing Adjornments in the Gen[ll] *Court to the two laſt dayes of the Court for references*, the houſe of Burgeſſes Agree that itt be laid Aſide. Aſſented to by the Councill.

An Act regulating Ordinary Keepers, read y[e] firſt tyme.

An Act declaring how long Seruants ſhall Serue coming in without Indentures, read y[e] firſt tyme

An Act prohibiting Maſters dealing with their Seruants read y[e] firſt tyme.

An Act Prohibiting Maſters Crewelty to their Seruants. read y[e] firſt tyme.

An Act againſt runawayes, & laying a penalty upon thoſe that Shall Entertain them. read the firſt tyme.

An Act declaring Negroes, Moores, Molattos, & Indian Slaues, read y[e] firſt tyme

An Act to preuent the Inſurections of Negros & for Suppreſſing out lying Slaues, read the firſt tyme.

An Act for the more Speedy proſecution of Slaues Comitting Capitall Crimes, read the firſt tyme

An Act forbidding tobacco planting after the laſt of June *& prohibiting the tending of Seconds or Slipps*, read y[e] 1[ſt] tyme

An Act declaring how thoſe that take up Stray horſes Catle & Boates &[c] ſhall publiſh the ſame, read y[e] firſt tyme.

An addreſs from the houſe by Cap[t] *Armſtead* &[a]

To his Excell[y]

The humble Addreſs of the Houſe of Burgeſſes

May it Pleaſe yo[r] Excell[y]

Your Excell[y] being pleaſed . . . . . [See J. of H. of B., pp. 482-3.]

An Act Appointing how Actions are to be Entered att County Courts and what tyme the declaration is to be filed, read the ſecond tyme

An Act Appointing the Declarations & Anſwers to be filed read the Second tyme

An Act prohibiting priuate Courts, read the Second tyme,

An Act Appointing all tryalls to be by Juries, read y[e] Second tyme

An Act Appointing Grand Juries to preſent offenders, read the Second tyme

An Act Comanding Pilories, Stocks, Ducking ſtooles, to be Erected in Each County. read a Second tyme,

An Act Appointing a Priſon to be built in Each County and Aſcertaining their Rules, read a Second tyme,

An Act for Supreſſing of Vagabones & binding poore Children to trades, read a Second tyme

An Act allowing Judgments acknowledged before two Juſtices to be good. read the ſecond tyme.

Nouem[r] 10th 1693

Preſent

HIS Excell[y], M[r] Sec[r] *Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm[d] Jenings, Hen: Hartwell* Eſq[s]

Theſe following Bills being read a third tyme & Seuerall Amendments made therupon. *Ordred* that the Clerk of the Gen[ll] Aſſembley Carie the Said Bills to the houſe of Burgeſſes wth the Amendments.

An Act Appointing how Actions are to be Entered att County Courts & what tyme the declaration is to be filed

An Act Appointing Declarations & Anſwers to be filed

An Act prohibiting priuate Courts

An

An Act Appointing all tryalls to be by Juries
An Act Appointing Grand Juries to prefent Offendors
An Act Comanding Pilories, Stocks, Ducking Stooles to be Erected in each County.
An Act Appointing a Prifon to be built in each County and Affeertaining their Rules.
An Act for Surpreffing of Vagabones and binding poore Children to trades.
An Act allowing Judgments Acknowledged befor two Juftices to be good.

Ordred that the Clerk of the Gen^{ll} Affembly Carie ye ffollowing Meffage to the houfe of Burgeffes.

By the Councill

Mr Speaker *& Gent of the houfe of Burgeffes*

Their Maj^{tie} hauing Comanded . . . . . [See J. of H. of B., p. 485.]

Gen^{ll} Court houfe

Prefent

HIS Excell^{y}, Mr Sec^{r} *Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm^{o} Jenings, Hen: Hartwell* Efq^{s}

Ordred that the Clerk of the Gen^{ll} Affembley fignifie to the houfe of Burgeffes his Excell^{ys} Comands to Attend him Imediatly in the Gen^{ll} Court houfe to pafs the *Acts Appointing Rangiers upon the ffrontiers of the fouer greate Riuers & An Act for the Encouragment of ye Manifacture of Lyning Cloath.*

The houfe being come, m^{r} *Speaker* Accquaints His Excell^{y} that the Houfe had receiued his Comands Imediatly to Attend him in the Gen^{ll} Court houfe, to pafs the *Act Appointing Rangers upon the ffrontiers of the fouer great Riuers*, And the *Act ffor the incouragment of the Manifacture of Lyning Cloath*, the Acts being read by ye Clerk the Same was Affented to, and Signed by His Excell^{y} and the Speaker.

A Meffage from the Houfe by Coll *ffitzhugh* &^{a} to know why they had not the Bill 24: Anfwered, that the Subftance of that Bill will be in the 37th Bill

---

Nouem^{r} 11th 1693

Prefent

HIS Excell^{y}, Mr Sec^{r} *Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm^{o} Jenings, Hen: Hartwell* Efq^{s}

A Meffage from the Houfe to His Excell^{y} by Capt *Ranfon* &^{a}

May it Pleafe yor Excell^{y}

In Anfwer to yor Speech . . . . . [See J. of H. of B., p. 487.]

A Meffage from the Houfe to the Councill by Mr *Edwards* &^{a}

May it Pleafe yor Hon^{rs}

The Houfe of Burgeffes . . . . . [See J. of H. of B., p. 488.]

Ordred that the Clerk of the Gen^{ll} Affembly Carie ye following Meffages to the Houfe of Burgeffes.

By the Councill

Mr Speaker *& Gent of ye houfe of Burgeffes*

His Excell^{y} hauing laid . . . . . [See J. of H. of B., pp. 488-9.]

By the Councill

Mr Speaker *& Gent of ye houfe of Burgeffes*

On the Sixth Inftant . . . . . [See J. of H. of B., p. 488.]

The following bills being read a third tyme & Seuerall Amendments made therupon. *Ordred* that the Clerk of the Gen^{ll} Affembley Carie the faid Bills to the houfe of Burgeffes wth the Amendments

A Bill Appointing when & by whome a *Superfedias* fhall be granted is agreed to,

A Bill for the punifhment of Euidences not appearing upon Summons

A Bill Showing how a *Dedimus Poteftatem* fhall Iffue.

Nouem^{r}

*Nouem*r 14th 1693

Preſent

HIS Excellʸ, Mr Secr *Wormley, Richard Lee, Edward Hill, Hen: Whiting, Edm*o *Jenings, Hen: Hartwell* Eſqe

Capt *Hodges* preſents from the houſe the two ffollowing Bills

An Act Affcertaining the Place for Erecting the Coledge of William & Mary. read the firſt tyme.

An Act laying an Impoſition upon Skins & ffurrs for the better Support of the Coledge of William & Mary. read 1ſt tyme

The following Acts were this day read ye firſt tyme

An Act allowing Land for Erecting Griſt Mills fulling Mills and Court houſes.

An Act againſt Exacting Millers

An Act againſt Hog ſtealing

An Act Concerning the granting of Paſſes to Perſons departing the Countrey.

An Act for Affcertaining the Secretaries Clerk of County Courts & Clerk of the Aſſemblies ffees.

An Act for Naturalization

An Act for peices of Eight to paſs for fiue Shillings

An Act for the better Supply of the Countrey wth *Armes Amunition & ffurniture.*

An Act giueing reward for Killing of Woolves

*An Act reſtraining the Impreſs of tymber, boates, &*c

An Act for raiſing a publick Reuenue for the better Support of the Gouerment

An Act ffor Collectors ffees

An Act forbiding Maryland *Veſſells trading into this Countrey without making due Entrey*

An Act concerning Indians

Capt *Randolph* &a brings the two following Meſſages from the houſe, and the Accompt of Claimes

By the Houſe of Burgeſſes

May it pleaſe yor Honrs

In Anſwer to yor Honrs Meſſage . . . . . [See J. of H. of B., pp. 489-90.]

By the houſe of Burgeſſes

May it pleaſe yor Honrs

Your Honrs Meſſage relating . . . . . [See J. of H. of B., p. 490.]

---

*Nouem*r ye 15th 1693

Preſent

HIS Excellʸ, Mr Secr *Wormley, Richard Lee, Edward Hill, Edm*o *Jenings, Hen: Hartwell* Eſqrs

A Meſſage from the Houſe by Coll *ffitzhugh* &a diſſiring a Conference wth the Councill upon the Amendments of an Act Entituled, *An Act ſhowing how a* dedimus Poteſtatem *ſhall Iſſue.* ye 24th & 37th Bills.

The Councill Appoint thre a Clock in the After Noone, and *Richard Lee, Edward Hill, Edm*o *Jenings* & *Henry Hartwell* Eſqa to Manage the Conference

Coll *Lee* reports from the Conference Concerning the 24th and the 37th Bills itt was moued that a Clauſe ſhould be Added to the Bill propoſed by the Councill (*Viz*)

An Act for taking Affidauits in the Countrey to be made uſe of in the Genll and all other Courts within this Dominion, inſtead of thoſe two Bills, Impowering the Clerks of the Secretary's Office and County Courts to Iſſue out *Subpenas* for all Euidences, in any action depending in ye ſd Courts, and yt the firſt in Comiſſion of Each Court haue power to grant a Comiſſion for taking Affidauits out of ye County where ſuch Comiſſiō ſhall be granted, & after Seuerll Argumts thereon, ye Membrs of ye houſe declared they had no power to agree, but would report to the houſe.

Ordered

Ordered that the Clerk of the Genⁿ Affembley Carie the Claimes wᵗʰ the Amendments to the houſe of Burgeſſes

By the Councill

Mʳ Speaker *& Gent of the houſe of Burgeſſes*

Vpon Conſideration of the Claimes this day tranſmited from yoʳ Houſe to Us, We Obſerue that the Claim of Capᵗ *Sherman* Sheriff of *James Citty* County relating to the Impriſonment &ᵃ of *William Dolby* & *Edward Legg* is diſſallowed as being no Countrey Charge, wᶜʰ we could not in the leaſt haue Expected Seeing by Law itt is Expreſly prouided that where a delinquent hath not an Eſtate, or not Sufficient to defray the Charges, Ariſing upon his proſecution the Publick ſhould be then lyable to pay the Same. & we are in no wiſe Senceible, that the Said *Dolby* or *Legg*, had any Eſtate to make Sattisfaction, therefore Conceiue the Countrey ought to pay the Charges thereof, & altho the Said *Dolby* and *Legg*, are yett liuing, they differ much from being att large in the Countrey, for that itt was their Majᵗᵉ Comand, that they ſhould be ſent home, wᵗʰ all papers relating to their Tryall, & therefore We are of Opinion, that this Claim Ought to be Allowed.

The Claim of *Thomas Lun* for Work Nayles, one planke, done and made uſe off in and about the Genⁿ Court houſe, by Order of the Genⁿ Court, We find likewiſe diſsallowed by yoʳ houſe, as not being a Countrey Charge wᶜʰ Seems ſtrange, for that that houſe was att firſt built, att the Charge of the Countrey, that all proceedings relating to the Goverᵐᵗ in Genⁿ might there be tranſacted, att the Same Charge itt was rebuilt, And We Conceiue itt proper, that att the Same Charge itt ſhould be Continued in repaire, being Extreamly decayed and rotten and therfore propoſe the allowance of yᵉ ſd *Luns* Claim

ffor the Same reaſon the Claim of *Tho. Beckett* Ought again to be Conſidered & Allowed by yoʳ houſe, As likwiſe that of Mᵃ *Alice Goodrick*, for building A partition before Mʳ *Secretaries* office doore, & for plank and tymber for doing the Same, & for the Plank uſed about the State houſe

We obſerue likwiſe that mʳ Secretary *Wormleys* Claim for 369 Military Comiſſions is diſſallowed by yoʳ houſe as being no Countrey Charge, wᶜʰ We recomend to yoʳ further Conſideration, Seeing the Law Aſſcertaining the Secretaries ffees has Expreſſly prouided a ffee for ſuch Seruices, & yoʳ Selues haue given reaſons, why the pertickular Officer Ought not to be Charged.

We find alſo that you haue Allowed mʳ Secretary *Wormley* for 25 Writts Only, wᶜʰ We Conceiue to be a Miſtake, Seing 26 haue Iſſued Out of his Office, & therfore recomend to you the Allowance of the laſt.

The Pay for the Leiutenᵗᵉ, Souldiers, Indians and Owners of horſes We find to be raiſed, for thre Months from the firſt day of *Decemʳ* next to wᶜʰ We propoſe that their pay may be & paid this preſent year till the laſt of *Aprill* next. *Itt is likwiſe propoſed*, that pay may be raiſed, for the ſaid Rangers to be paid the next year for the whole tyme, the Law of this preſent Aſſembly has Appointed their Continuance.

The Allowance to mʳ *Speaker* of 5400ˡᵇ of Tobacco for his Extrordinary Care & trouble this Seſſions, is more then uſeually allowed, & Conſidering there is a Sufficient Gratuity preſented to him before We Conceiue itt fitt to be rejected.

As to the 10800ˡᵇ of Tobacco preſented to Coll *ffitzhugh*, for his great trouble, in Collecting & preparing the Laws in Order to a Reuiſall, We think fitt that, that be likewiſe rejected, for if Coll *ffitzhugh* therby has meritted any thing from the Countrey yᵉ reputation wᶜʰ he will Accquire therein, is a Sufficient & Ample Sattisfaction for his Seruices. the Clames Agreed to wᵗʰ the Aboue Amendments.

Signed by Order of the Councill

Nouemʳ the 14ᵗʰ 1693 *James Sherlock* Cl G. Aſſmʸ

An Act Aſſcertaining the place for Erecting the Coledge of William *&* Mary *in* Virginia read a ſecond tyme

An Act laying an Impoſition upon Skins & furrs for the better Support of the Coledge of William *&* Mary *in* Virginia read a Second tyme.

The

The two following Bills being read a third tyme and ſome Amendments made thereupon *Ordred* that the Clerk of the Genᴵˡ Aſſembly Carie the ſaid Bills to yᵉ houſe of Burgeſſes wᵗʰ the Amendments

An Act Affcertaining the Place for Erecting the Coledge of William & Mary *in* Virginia

An Act laying An Impoſition On Skins & furrs for the better Support of the Colledge of William & Mary *in* Virginia

---

Nouemʳ the 16ᵗʰ 1693

Preſent

HIS Excellʸ, Mʳ Secʳʸ *Wormley, Richard Lee, Edward Hill, Edmᵒ Jenings, Hen: Hartwell* Eſqᵉ

Capᵗ *Barber* &ᶜ returnes from the houſe the two ffollowing Bills Agreed to wᵗʰ their Amendments

An Act Affcertaining the Place for Erecting the Colledge of William & Mary *in* Virginia

An Act laying an Impoſition on Skins & ffurrs for the better Support of the Colledge of William & Mary *in* Virginia

---

Nouemʳ 17ᵗʰ 1693

Preſent

HIS Excellʸ, Mʳ Secʳ *Wormley, Richard Lee, Edward Hill, Edmᵒ Jenings, Hen: Hartwell* Eſqᵉ

By the houſe of Burgeſſes

May it pleaſe yoʳ Honʳˢ

The houſe of Burgeſſes hauing this day receiued from yoʳ Honʳˢ the booke of Claimes wᵗʰ a written Meſſage Conteyning what you are pleaſed to Object or propoſe Concerning Seuerall Artickles & parts of the Same on Conſideration of the Subject Matter therof, haue agreed to returne yoʳ Honʳˢ this Anſwer to the particulars (*Viz*) To that particular wherin yoʳ Honʳˢ are pleaſed to declare yoʳ Opinion that the Claime of Capᵗ *Michaell Sherman* Sheriff of *James Citty* County for the Impriſonment of *William Dolby* and *Edward Legg* ought to be allowed. the Houſe Cannot Conceede for that the Said *Shermans* Claime Accrews for the keeping & menteyning the ſd *Legg & Dolby*, upon a Repreiue a longe tyme after a Condemnation, & they Conceiue the publick is only lyable for Such Charges as Ariſe upon yᵉ profecution of Criminalls, & for the Execution of them. So that were the Circumſtances of the Said *Dolby* and *Legg* ſuch, as they had not Sufficient to defray yᵉ Same, how far So Euer the Countrey might be then lyable, in this Caſe itt Cannot be att all, being this is a Charge that could not poſſiblely haue Accrewed, had Execution been made upon the Judgment, & they fayled of Obteyning the ffauor & Mercy of a Repreiue.

The Claime of *Thoˢ Lun* for Worke done, & Nayles and planke, made uſe of about the Genᴵˡ Court houſe by Order of the Genᴵˡ Court, the houſe ſtill Conceiue to be no Countrey Charge, for that Notwithſtanding they muſt Accknouledge, that, that houſe is, & Ought to be Continued, in Neceſſary repaire, att the Charge of the Countrey, yett they cannot Conceiue the Country lyable for the Coſt of Changing the Same into a different fforme, or Ading of New Worke to itt, when there is no Need of preſent repaire

Vpon Conſideration of the Claime of *Thomas Beckett*, the houſe haue allowed 140ᴵˡ of Tobacco for bricking up the Chimney and Whitewaſhing the Genᴵˡ Courthouſe, the Same being a neceſſary repairation, butt the reſt of his Claime, being for digging a Vault under the Powder houſe, is Conceiued to be no Countrey Charge & therefore not allowed.

The Claime of Mᵃ *Alice Goodrick*, for building a partition before Mʳ *Secretarys* Office doore and for Plank & tymber for itt, the Houſe ſtill Conceiue to be no Countrey Charge, becauſe that is a new peice of worke, & no wayes for the repaire of the houſe where itt Stands

The

The Claim of mr Secretary *Wormley* for 369 Military Comiſſions, being Submitted by the Comittee to the Conſideration of the houſe wth Some reaſons of theirs for not allowing of itt in ye Comittee was without any regard had to that pertickular reaſon of theirs, why the Officers Ought not to be Charged therwith Conceiued by the Houſe to be no Countrey Charge and they hope itt will ſo Appeare to yor Hon^rs, when you Conſider that Euen this Aſſembly, they putt that ffee amoungſt the Secretaries, as they found itt, in the Ould Law upon Conſideration that the Same is to be paid, as Other Secretary's ffees are

The Omiſſion of allowing for one Writt to Mr *Secretary*, was Occaſioned by a Miſtake, & therfore the Houſe haue now Added the Allowance for itt to the Booke.

The Houſe hauing Conſidered yor Hon^rs propoſition Concerning the Rangers pay att the heads of the Riuers, and being Willing this Aſſembly to raiſe the whole, to the End the Souldiers may not haue itt Scattered, butt as near as may be togeather, wch cannot poſſibley be Effected if there ſhould be no Other Leavey next year then what ſhall be now raiſed for them. Propoſe that by An Act of this Aſſembley the whole pay of the Rangers for 17 Months from the firſt of *Decemb^r* next being the full tyme of their Continuance both by the Old & new Law, togeather wth the preſent publick Charge of this Aſſembley be Added togeather, & Ordred to be paid the next Cropp wch this Houſe takes to be not Only Conuenient for the Planter, being itt is late in the yeare, & there is already a preſent publick Leuy, butt far the beſt for the Souldiers, & other Creditors, Since by that meanes their Tobaccos will be the leſs Scatered, & may be Ordred far more Conuenient, then itt can poſſibley be, by part raiſed this year & part next.

The Seuerall allowances to Mr *Speaker* of 5400^li of Tobacco & of 10800^li to Coll *ffitzhugh* were made by the Houſe upon a due Sence & Conſideration of their Reſpectiue Seruices in the greate worke Vndertaken this Aſſembley, wch being offered as a toaken of their Gratitude & Acknoledgment to them & not as a Mercinary or Equiualent reward, they hope itt will meete wth yor Hon^rs Concurrence, & tend to ye further Incouragment of Others to ingage their Labours and inginuity for the good of this Countrey, & therfor Cannot butt preſs itt to yor Hon^rs to allow of ye Same.

Signed by Order of ye Houſe of Burgeſſes

Nou^r 16th 1693. *Peter Beauerly* Cl H. Burg.

Ordred that the Clerk of the Gen^ll Aſſembley Carie the following Meſſage to the houſe of Burgeſſes

By the Councill

Mr Speaker *& Gent of the houſe of Burgeſſes.*

This day we receiued a Meſſage from yor houſe relating to the Claimes, Wherein we find you Continue in Opinion that the Claim of *Tho. Lun* is not a Countrey Charge. We are Sattisfied that the Worke done by *Lun* by Order of the Gen^ll Court, was for the neceſſary repairation of the Court houſe being Extreamly rotten & decayed, & therfore Ought to be paid, wch Claime being Allowed, We Agree to the others & the Propoſition for the Rangers pay, and all other Charges Accrewing this Aſſembley to be paid the next year

Signed by Order of the Councill

Dat 17th *Nou^r* 1693 *James Sherlock* Cl. G. Aſſm^y

An Addreſs from the Houſe by Capt *Randolph* &^a

May it Pleaſe yor Excell^y & Hon^rs

The Houſe of Burgeſſes hauing . . . . . [See J. of H. of B., p. 493.]

A Meſſage from the houſe by Capt *Randolph* &^a to Acquaint the Councill they had allowed *Lun*'s Claime and will pay itt in Tobacco att 10^d ℔ *Cent.* the Councill do not Agree to itt.

A Meſſage from the Houſe by Capt *Randolph* &^a that they had Agreed to *Lun*'s Claime & to be paid in Money.

Nouem^r

Nouem^r ye 18th 1693

Prefent

HIS Excell^y, Mr Sec^r *Wormley, Richard Lee, Edward Hill, Edm^o Jenings, Hen: Hartwell* Eſq^a

A Meſſage from the Houſe by Capt *Randolph* &^a wth the Book of proportions, and *An Act for raiſing A publick Leuy to be paid in the year 1684 att 21^li* ℔ *pole* agreed to.

Ordred that the Clerk of the Gen^ll Aſſembley Carie the ffollowing Meſſage to the Houſe

By the Councill

Mr Speaker *& Gent of the houſe of Burgeſſes*

The Artickle you Charge Coll *Hill* wth of Exchange returned proteſted of fifty two pounds Eleuen Shill and 3^d wth the damages and Coſts for the Same, He Auerrs he hath no proteſted Bill of Exch^a returned butt hath paid his money into the hands of Coll: *William Cole* According to the Order of the Gen^ll Aſſembly, and hath receipt for the Same

Signed by Order of the Councill

No: ye 18th 1693 *James Sherlock* Cl G. Aſſm^y

A Meſſage from the Houſe by Capt *Randolph* &^a wth the money Account, the fifty two pounds Eleauen ſhill and 3^d being placed to the Accompt of Coll *William Cole*. The Councill Agree to the money Accompt.

Ordred y^t the Clark of ye Gen^ll Aſſembley Carie the ffollowing Anſwer to the Houſe of Burgeſſes

By the Councill

Mr Speaker *& Gent of the houſe of Burgeſſes*

In Anſwer to yor Addreſs . . . . . [See J. of H. of B., p. 494.]

Gen^ll Court houſe

Preſent

HIS Excell^y, Mr Sec^r *Wormley, Richard Lee, Edward Hill, Edm^o Jenings, Hen: Hartwell* Eſq^a

Ordred that the Clerk of the Gen^ll Aſſembley doe Signifie to the Houſe of Burgeſſes His Excell^ys Comands to attend him Imediatly in the Gen^ll Court houſe. Mr *Speaker* and the Houſe Attends & Mr *Speaker* Accquaints his Excell^y that he is Comanded by the Houſe to pray his Excell^ys Aſſent to, *An Act for Aſſcertaining the Place for Erecting the Colledge of* William & Mary *in* Virginia

An Act laying an Impoſition on Skins & furrs for the better Support of the Colledge of William & Mary *in* Virginia. And *An Act for raiſing a publick Leuy to be paid in the year 1694 att 21^li* ℔ *pole*, wch Acts being read by the Clerk His Excell^y Signed them and the Speaker. then His Excell^y diſſolued ye Aſſemb^y

James Sherlock Clerk of the Gen^ll Aſſembly

211-212

AT A

GENERALL ASSEMBLY

begun at *James City* the Eighteenth day of *April* 1695 and in the Seventh Year of the Reign of our Soveraign Lord & Lady *William* & *Mary* by the Grace of God of *England, Scotland France, Ireland* & *Virginia* King & Queen Defenders of the Faith &c.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1407, pp. 1169-1214.]

At a Generall Aſſembly begun at *James City* the Eighteenth day of *April* 1695 and in the Seventh Year of the Reign of our Soveraign Lord & Lady *William* & *Mary* by the Grace of God of *England, Scotland France, Ireland* & *Virginia* King & Queen Defenders of the Faith &c.

[*April* the 18th 1695.]

Preſent

HIS Excellency, Mr Secrey *Wormley, Wm Byrd, Chr: Wormley, Edwd Hill, Edmd Jennings, Hen: Hartwell* Eſqrs

Ordered that a Comiſſion be prepared appointing & Impowering *Wm Byrd Edwd Hill* & *Edmd Jennings* Eſqrs or any two of them to adminiſter to the Burgeſſes the Oaths appointed by act of Parliamt to be taken inſtead of the Oaths of Allegiance & Supremacy the Teſt & the Oath of a Burgeſs.

Wm Byrd, Edwd Hill & *Edmd Jennings* Eſqr purſuant to his Excellencys Comiſſion went to the State houſe & Adminiſtred the Oaths appointed by Act of Parliament to be taken inſtead of the Oaths of Allegiance & Supremacy the Teſt & the Oath of a Burgeſs to the Burgeſſes return'd by Writt.

The Clk of the Genll Aſſbly acquaints his Excellency that the Burgeſſes had adjourn'd themſelves, till to Morrow morning 8 a Clock

---

Aprill the 19th 1695

Preſent

HIS Excellency, Mr Secy *Wormley, Wm Byrd, Chr: Wormley, Edwd Hill, Edmd Jennings, Hen: Hartwell, James Blair* Eſqrs

A meſſage from the Members of the Houſe of Burgeſſes by Capt *Randolph* &c to acquainte his Excellency that the members were met & attended his Excellencyes Comands.

Generall Court houſe.

Ordered that the Clk of the Genll Aſſbly go to the members of the houſe of Burgeſſes & acquainte them that his Excellency Comands their Imediate Attendance in the Genll Courte houſe, where they being come

His Excellcy told them he was glad to See So full an Appearance of the Gentlemen of the Houſe of Burgeſſes & that they were to repair to their houſe & make Choice of a Speaker.

A Meſſage from the Houſe of Burgeſſes by Mr *Carter* acquainting his Excellency that they had made Choice of a Speaker

Ordered that the Clerk of the Genll Aſſbly go to the houſe of Burgeſſes & acquainte them that his Excellency Comands their Attendance at three a Clock in the Afternoone in the Genll Courthouſe.

Genll

Genll Courthouſe

Preſent

HIS Excellency, Mr Secretv *Wormley, Wm Byrd, Chr Wormley, Edwd Hill, Edmd Jennings, Hen: Hartwell, James Blair* Eſqrs

Colle *Ludwell* with the houſe of Burgeſſes Attending his Excellcy And Colle *Ludwell* acquaints his Excellency that the Houſe of Burgeſſes had Choſen him for their Speaker, who being Approved by his Excellency prayed the Continuance of the Priveledges of that houſe, His Excellency Anſwered what Priveledges they have or Ought to Enjoy is Confirmed to them.

Then his Excellency thus Expreſt himſelfe

Gentlemen

I have Received . . . . . [See J. of H. of B., 1695-1702, pp. 4-5.]

Aprill 20th 1695

Preſent

MR Secr *Wormley, Richard Lee, William Byrd, Ch: Wormley, Edward Hill, Edmo Jenings, Hen Hartwell* Eſqs

A Meſſage from the houſe of Burgeſſes to his Excellency by Mr *Carter* &cs praying a Copy of his Excellys Speech.

Ordered that the Clerk of the Genll Aſſembly doe Carry a Copy of his Excellys Speech to the houſe of Burgeſſes.

Aprill 23d 1695

Preſent

HIS Excellv, Mr Secr *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen Hartwell* Eſqs

An Addreſs from the houſe to his Excellv by Capt *Story* &cs

May it pleaſe yor Excellv

The houſe of Burgeſſes . . . . . [See J. of H. of B., p. 8.]

Ordred that the Clerk of the Generll Aſſembley do Carry to the houſe of Burgeſſes Their Mayties Letters & the Lettr from the Lords of the Treaſury.

ffor the Aſſiſtance of *New York*

ffor the Encouragment & ffurtherance of the Colledge.

ffor Miniſters Salary & allowances

ffor a Small Veſſell to Cruiſe on the Coaſt to preuent Illegall Traders.

The Peticon of Capt *George Maſon* for the payment of Eighteen Rangers and himſelfe their Captain Entered into the Seruice the 23d of *June* & haue euer ſince Continued in the Same

Refferred to the Houſe of Burgeſſes

Apll 25th 1695

Preſent

MR Secr *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edmo Jenings, Hen. Hartwell* Eſqs

The Petiċon of Capt *Miles Sherman* Sheriff of *James Citty* County for Allowance for Attending the Genll Courts

Refer'd to the houſe of Burgeſſes

The Petiċon of mr *William Sherwood* ffor 50ll *Sterl* for two year's rent for the Councill Chamber

Refer'd to the houſe of Burgeſſes

Aprll

Aprll the 30th 1695

Preſent

HIS Excellᵞ, Mʳ Secʳ *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell* Eſqᵉ

An Addreſs from the houſe of Burgeſſes to his Excellᵞ by Capᵗ *Robinſon* &cᵃ

The humble Addres of the houſe of Burgeſſes

May it pleaſe yoʳ Excellᵞ

Their Majᵗⁱᵉˢ Loyall and Dutifull . . . . . [See J. of H. of B., pp. 15-17.]

His Excelᵉʸ Recomẽnds yᵉ Addreſs of the houſe of Burgeſſes in anſwer to his Speech to yᵉ Conſideracõn of yᵉ Councill.

May the 1ſt

Preſent

MR Secʳ *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell* Eſqᵉ

A Meſſage from the houſe by Mʳ *Robert Carter* &cᵃ Accquainting the Councill that they were Appointed by the houſe of Burgeſſes to Confer wᵗʰ the Councill, to Conſider the beſt wayes & Methods for the Reuiſeall of the Law's and deſired that a tyme & place might be Appointed. the Councill told them they would Conſider of their Meſſage and giue them an Anſwer

Ordred that the Clerk of the Genˡˡ Aſſembᵞ do returne this Anſwer

That upon Conſideracõn of a Meſſage this day from the houſe of Burgeſſes deſiring the Councill to Joyne wᵗʰ them att a Conference for the Reviſeall of the Laws of this Countrey, the Councill are of Opinion, in a Matter of So great Moment, and nothing hauing been Moued this Seſſion relating therto that the Effect of that Meſſage be ſent to them in writing

Capᵗ *William Taylo* &c preſents to the Councill the two following Bills wᶜʰ the Houſe of Burgeſſes haue paſſed & deſire the Concurrence of the Councill.

An Act for Inlarging the bounds of Princeſs Ann *County.*

An Act Appointing how Probates and Adminiſtrations ſhall be ſigned for the future

---

May the 2ᵈ 1695

Preſent

MR Secʳ *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Hen: Hartwell* Eſqᵉ

His Exᵞ hauing yeſterday laid before this Board the Addreſs of the houſe of Burgeſſes whereof the *New York* affair was the firſt thing this day Conſidered the Councill are humbley of Opinion, that their reaſons in the ſaid Addreſs denying all Aid of Men or Money to *New York* tho Comanded by her Mayᵗⁱᵉ peremptorily, are not Sattisfactory, propoſe a Conference of Some of them wᵗʰ Such Members of the houſe of Burgeſſes as the houſe ſhall think fitt.

Ordred that the Clerk of the Genˡˡ Aſſembley do Carry the following Meſſage to the houſe of Burgeſſes.

By the Councill

Mʳ Speaker *& Gent of the houſe of Burgeſſes*

His Excellᵞ hauing laid . . . . . [See J. of H. of B., p. 21.]

May

May the 2d 1695

Prefent

MR Secr *Wormley, Richard Lee, William Byrd, Chr Wormley, Edward Hill, Edmo Jenings, Hen Hartwell* Efqs

A Meffage from the houfe by Capt *Kener* &ca

May it pleafe yor Honrs

The Houfe of Burgeffes being . . . . . [See J. of H. of B., pp. 20-21.]

May 3d 1695

Prefent

MR Secr *Wormley, Richard Lee, William Byrd, Edward Hill, Edmo Jenings Hen: Hartwell, Chr: Wormley* Efqs

A Meffage from the houfe by Capt *Oufeley* &ca defiring to know how many of the Councill will meet att the Conference relating to the affiftance of *New York* and the tyme & place for the faid Meeting. The Councill returned anfwer that fouer of them would meet att Nine a Clock to morow Morning in the great Hall

By the Councill

Refolued

That a Conference be defired & held wth Such of the houfe of Burgeffes as fhall be Appointed upon the Subject Matter of that part of the Addrefs of the Said houfe of Burgeffes in Anfwer to his Exys Speech as relates to their Mayties Comands for Affiftance of *New York*, and to the End the Managers who fhall be Appointed by the Councill for the Said Conference may be fully inftructed from this Board in thofe Seuerall perticulars they may haue Occafion to make ufe of att the faid Conference, *It is Ordered.*

That to the firft reafon laid down by the Said houfe of Burgeffes wherin they Say, that by the tax or Impofition on tobacco this Countrey is made uncapable of giuing Affiftance

It be Confidered by the Managers that the tax on tobacco was Impofed by Act of Parlament and not in this Cafe proper to be Complained of or Urged as a reafon for not Complying wth their Mayties Comands.

That to the Second reafon of the faid Houfe of Burgeffes relating to the Charge the Countrey hath been att in Menteyning Rangers.

It be Anfwered by the faid Managers that the Charge is Inconfiderable to what the Neighbouring Plantations *New England* and *New York* haue Expended this Warr, the firft aboue a hundred thoufand pound & the other aboue thirty thoufand pound, whilft Prouidence hath been pleafed to keep us free from any Show of hoftillity, Except that we for the difcouerey of an Enemy in Seafonable tyme thought itt neceffary to keep Eleauen Rangers & an Officer & two Indians att the heads of Each Riuer and fome tymes upon an Alarm to raife a few Additionall forces for a while.

That to the Other reafon laid down by the fd Houfe of Burgeffes, Setting forth that the Countrey has alway's born its own Charge and that forces placed att *New York* can no Way tend to the Advantage or better Security of this Gouernt the Indians that Infeft itt being Nearer *Virginia* then *New York.*

It be Anfwered by the Managers, that it is forgot Since the King was aboue Sixty thoufand pound Charge to Affift the Countrey in the Year 1676 & that there is no queftion but he will perticularily direct from the Adjacent Plantacons Aid to this Gouerment as there is Occafion and not be Sparing out of his Treafury to protect itt and whether it be Aduantagiouſe or not to *Virginia* to haue forces in *New York* According to the Quota Sett, Sure itt is that the Prouince of *New York* being under difftrefs and to [too] Infupportable a Charge, moued their Mayties who being poffeft wth their Condition, directed a Quota to be Setled by Comiffioners from the Adjacent Colonys, of wch the laft Affembley had an Account, and becaufe nothing was therin don as Sure itt is, that their

their Mayties haue Setled a Quota themſelues and Comanded our Obedience, and what Anſwer can be made to Euade performing the Royall Comand If the low Circumſtances of the Countrey be pleaded, It is the only way to be obedient to the Utmoſt of Our Abillity therby to make their Mayties Sencible of the true State of *Virginia* and to be Accquitted wth their Mayties good liking from performing the reſt who no doubt hauing that teſtemony of Our Loyalty and Obedience, will be the more Graciouſly Inclined towards Us. If it be thought not to Concerne *Virginia* as hauing no Intereſt Joyned wth *New York* it is a miſtake for this Aſſiſtance is not wanted for the Supporting or Carying on ſome perticular deſignes of the Inhabitants of *New York*, but for the Safety, Defence and Protection of one of their Mayties Prouinces from being taken by the *ffrench* & *Canada* and Other Indians in Amity wth them, declared & powerfull Enemy's to the Crowne of *England*, and that Warr being Nationall all the Plantacons their Mayties haue in this part of the World Stand Mutually Obleiged to the Defence and protection one of Another, as one County of *England* does to another, And this Countrey would think it hard to be detſroy'd by denyall of a litle help from the next Gouerment, And Whereas itt is ſaid that the Northern Indians lyes nearer *Virginia* then *New York*, the Councill deſire to be Informed, if a late diſcouerey therof, wch would be of great Seruice in that upon any Miſcheife don they might be directly perſued.

Wherfore upon Conſideracon of the whole Caſe and the Danger *Virginia* will Ineuitabley be Expoſed to by the loſs of *New York* (wch God preuent) the *french* Coming So much Nearer us and hauing a good Port to Iſſue out Priuateers to pick up our Marchant Men.

The ſaid Managers are directed to Accquaint the Burgeſſes who ſhall be Appointed and meet to Confer

That it is the Opinion of the Councill that as their Mayties Comands & Significations of the diſtreſs of *New York* is poſſitiue, a ready Complyance will be ſeruiceable to the Countrey both in demonſtrating Our Loyalty & Ingaging the Aſſiſtance of *New York* & other Colony's as Comanded when the Countrey ſhall haue like Occaſion, and further that it may reaſonabley be hoped that upon the Obedience of this Countrey in this Affair, and an Addreſs to their Mayties Setting forth the true State of *Virginia* this years Aſſiſtance may be Sattisfactory, and on more required and therfore its propoſed, that for the Complyance of this Countrey, Either a Leuy be raiſed by the Poll, or an Impoſition laid upon Liquors, wth Such limitations, reſtrictions & prouiſo's as ſhall be Judged Neceſſary by the Generll Aſſembley for Securing the Same to this purpos if required, and if not to Such other Uſes only as the Genll Aſſembley ſhall think fitt from tyme to tyme to apply the Same

Signed by Order

Dat. May 3d 1695 *James Sherlock* Cl Gen Aſſy

Vpon Conſideracon of the Addreſs of the Houſe of Burgeſſes in Anſwer to the Second Paragraph of his Exys Speech for Setting forth a Veſſell or Veſſells to Cruiſe on the Coaſt to preuent Illegall traders. The Collectrs of the Seuerall Riuers within this Colony are to make report to this Board perſuant to an Ordr of Councill of the 6th of *Marh* laſt and further Orders to be taken therin Accordingly

The Conſideracon of the third Paragraph Concerning the Maintenance of the Clergy, is refer'd to a Conference when the buiſeneſs relating to *New York* is Ouer.

Vpon Reading the fourth Paragraph for the Incouragment and furtherence of the Colledge nothing to be don att preſent; Refered to further Conſideracon.

Vpon Conſideracon of the fifth Paragraph Concerning the Rangers; is refer'd till a Bill be preſented from the houſe

Vpon Conſideracon of the laſt Paragraph for leſſening the Levy by ye Poll by laying an Impoſition on Liquors Imported; refer'd till a Bill be preſented from the houſe.

An Act Appointing how probates and Adminiſtrations ſhall be ſigned for the future read the firſt tyme.

An Act for Inlarging the bounds of Princeſs Ann *County* read the firſt tyme

May

May the 4th 1695

Preſent

MR Secr *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edme Jenings, Hen: Hartwell* Eſqrs

William Byrd. Edward Hill. Edme Jenings and *Hen: Hartwell* Eſqrs are Appointed to Manage the Conference relating to the Aſſiſtance of *New York* wth the Burgeſſes

The Conference referd till *tueſday* 9 a Clock

Capt *Maſon* &ca preſent from the houſe the following Bills wch they haue paſſed & deſire the Concurence of the Councill

An Act Appointing Rangers at the heads of the four great Riuers.

An Act for Reuiueing the 7th Act of Aſſembley made att James Citty *the 16th day of* Aprill *1691 and for the Aſſcertaining the Size of Tobacco hogſheads.*

May 6th 1695

Preſent

MR Secr *Wormley, Richd Lee, William Byrd, Chr: Wormley, Edward Hill, Edme Jenings, Hen: Hartwell* Eſqrs

Capt *William Randolph* &ca preſents to the Councill the Book of Claimes & deſire the Concurence of the Councill

Mr *William Sherwood* &ca preſents the ffollowing Bills wch the houſe haue paſſed & deſire the Concurence of the Councill

An Act Impowering James Citty *County Court to make by Law's for reſtraining hogs ruñing att large in* James Citty

---

May 7th 1695

Preſent

HIS Excellcy, Mr Secr *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edme Jennings, Hen: Hartwell* Eſqrs

An Addreſs from the houſe of Burgeſſes by Capt *Batt* &ca to his Exy and the Councill

May it Pleaſe yor Exy and Honrs

It hauing been repreſented . . . . . [See J. of H. of B., pp. 23-24.]

Mr Auditor *Byrd* Reports from the Conference relating to the Affaires of *New York* that they met the Gent Appointed by the houſe of Burgeſſes to Confer on that Subject, where hauing fully debated the Matter According to the directions of the Councill they promiſſed to make a true report therof to the houſe.

An Act Appointing Rangers att the heads of the ſouer great Rivers read the firſt tyme

An Act for Reuiueing the 7th Act of Aſſembley made att James Citty *the 16th day of* Apll *1691 & for the Aſſcertaining the Size of tobacco hogſheads* read the firſt tyme

An Act Impowring James Citty *County Court to make by Laws for reſtraining hogs ruñing att large in* James Citty read the firſt tyme

---

May 8th 1695

Preſent

MR Secr *Wormley, Richard Lee, William Byrd, Chr: Wormley, Edward Hill, Edme Jenings* Eſqrs

Capt *Soan* &ca preſents from the houſe the two following Bills wch they haue paſſed and deſire the Concurence of the Councill

An Act for leſſening the Leuy by the poll and laying an Impoſition upon Liquors

An Act for diuiding of King & Queen *County*

Capt

Capt *Cuſtis* &c[a] Preſents the following Bills from the houſe w[ch] they haue paſſed and deſire the Concurence of the Councill

An Act Impowring the County Courts of Accomack & Northampton *to make by Laws for the better reſtraint of unruly horſes.*

An Act for Inlarging the bounds of Princeſs Ann *Countey* read the Second tyme

An Act for leſſening the Leuy by the Poll and laying an Impoſition upon Liquors read the firſt tyme.

May 9th 1695

Preſent

MR Sec[r] *Wormley, Richard Lee, William Byrd, Ch. Wormley, Edward Hill, Edm[o] Jenings, Hen: Hartwell* Eſq[e]

A Bill for Inlarging the bounds of *Princeſs Ann* County read the third tyme and Aſſented to by the Councill

A Bill for leſſening the Leuy by the Poll and laying an Impoſition upon Liquors read the Second tyme and Amended.

Ordred that the Clerk of the Gen[ll] Aſſembley do Cary the aboue bills wth the Amendment to the houſe of Burgeſſes.

Capt *Story* &c[a] preſents to the Councill a Meſſage from the houſe & returnes the Bill for leſſening the Leuy by the Poll and laying an Impoſition upon Liquors.

By the Houſe of Burgeſſes

May it pleaſe yor Hon[rs]

The Houſe of Burgeſſes this day taking into Conſideracõn the Amendments propoſed by yor Hon[rs] to the Bill Entituled a Bill for leſſening the Leuy by the Poll and laying an Impoſition upon Liquors, haue Agreed to make the Duty of two pence fouer pence and to incert *Wales* & the town of *Barwick* upon *Tweed* according to yor Hon[rs] propoſition, but Cañot agre to Extend the tyme any longer for the Said Impoſition to be in force then their Bill Expreſſes, and therfore deſire yor Hon[rs] will pleaſe to giue yor Aſſent to the Bill when Amended, as is hereby propoſed and Agreed upon by the Houſe

By Ord[r] of the houſe of Burgeſſes

Peter Beauerly Clk of the houſe of Burgeſſes

May the 9th 1695

May 10th 1695

Preſent

MR Sec[r] *Wormley, Richard Lee, William Byrd, Edward Hill, Edm[o] Jenings, Hen: Hartwell* Eſq[e]

Ordred that the Clerk of the Gen[ll] Aſſembley do Carry the following Bills to the houſe of Burgeſſes.

A Bill Appointing Rangers att the head of the fouer great Riuers, Aſſented to by the Councill.

A Bill for Reuiveing the 7th Act of Aſſembley for Aſſcertaining the Size of tobacco hogſheads wth Amendments

A Bill Impowring *James Citty* County Court to make by Law's for reſtraining hogs runing att large in *James Citty* not Agreed to by the Councill

A Bill for leſſening the Leuy by the Poll and laying an Impoſition upon Liquors Aſſented to by the Councill, to the Agreed Amendments of the houſe of Burgeſſes

A Bill for diuiding *King* and *Queen* County. Not Agreed to by the Councill

A Bill Impowring the County Courts of *Accomack* and *Northampton* to Make by Law's for the better reſtraint of Unruly Horſes. Not Agreed to by the Councill

May

May 11th 1695

Preſent

MR Secr *Wormley, Richard Lee, William Byrd, Edward Hill, Edme Jenings Hen Hartwell* Eſqs

A Meſſage from the Houſe by Capt *Batts* &c. to the Councill wth two Addreſſes to their Mayties and a Copy of a Charter in 1675.

May it pleaſe yor Honrs

The Houſe of Burgeſſes hauing Agreed . . . . . [See J. of H. of B., p. 31.]

A Meſſage from the houſe by Majr *Diggs* &c. wth the two following Bills to the Councill

May itt pleaſe yor Honrs

The houſe of Burgeſſes hauing Conſidered . . . . . [See J. of H. of B., p. 32.]

A Bill for Reuiueing the 7th Act of Aſſembley for the Aſſcertaining the ſize of tobacco hogſheads

An Act Impowering the Gouer with the Aduice of the Councill to Apply fiue hundred Pound Sterl *out of the Impoſition upon Liquors raiſed this Aſſembley to the Aſſiſtance and preſeruation of* New York *if found Neceſſary.*

By the Councill

Mr Speaker *& Gent of the houſe of Burgeſſes*

Vpon Conſideracon of yor Written Meſſage . . . . . [See J. of H. of B., p. 33.]

By the Councill

Mr Speaker *& Gent of the houſe of Burgeſſes*

Vpon Conſideracon of the third Paragraph . . . . . [See J. of H. of B., p. 32.]

A Meſſage from the houſe by Capt *Cuſtis* &c. to know how many of the Councill will meet att the Conferences, Upon the Reuiſall of the Law's and for the Maintenance of the Clergy, the tyme and place for the Said Meeting. the Councill returned Anſwer that fower of them would meet att 9 a Clock *Tuefday* Morning in the great Hall.

Mr Secr *Wormley Edward Hill Edme Jenings* and *Hen Hartwell* Eſqs are Appointed to manage the Conference, relating to the Reuiſall of the Laws and the Maintenance of the Clergy.

May 14th 1695

Preſent

MR Secr *Wormley, Edward Hill, Edmd Jenings, Hen Hartwell* Eſqs

Mr Secr *Wormley* reports from the Conference appointed on the Meſſage of the houſe of Burgeſſes for the Reuiſall of the Laws, that hauing diſagreed to the fifth propoſition made by the houſe of Burgeſſes of the Perſons Appointed for the Said Reuiſall, be Conſidered & rewarded according to the diſcretion of the next Succeeding Aſſembley, they propoſed that the Allowance be now Aſſcertained to the ſaid Gent and that the Gent Appointed Conferees by the houſe of Burgeſſes made Anſwer, that they were not Impouered by the houſe to Agree but that they would make report therof to the houſe.

Mr Secr *Wormley* reports from the Conference held wth the Burgeſſes Appointed to Confer on the third Paragraph in the Addreſs of the Houſe of Burgeſſes to his Exy Speech for the better maintenance & incouragment of the Clergy.

That their Mayties Letter & Law of the Countrey were laid before the Conferrees wth Seuerall reaſons Urged and Strengthened and propoſitions made that there might be Allowance Either by Poll or a Certain Summ of tobacco ℔ *Ann* for their Encouragment, but that they came to no reſolution, for that the Conferrees Appointed by the houſe had no directions therin butt promiſſed to report itt to the Houſe

May

May 15th 1695

Preſent

HIS Excellʸ, Mr Secr *Wormley*, *William Byrd*, *Edmo Jennings*, *Hen Hartwell*, *Edward Hill* Eſqrs

A Meſſage from the houſe by mr *Sherwood* &c to the Councill &c

May it pleaſe yor Honr

The Houſe of Burgeſſes . . . . . [See J. of H. of B., p. 35.]

Ordred that the Clerk of the Genll Aſſembley do Carry the following Bills & Meſſages to the Houſe of Burgeſſes

A Bill Appointing how probates & Adminiſtrations ſhall be ſigned for the future, not Agreed to by the Councill

A Bill for Reuiuing the 7th Act of Aſſembley for Aſſcertaining the Size of tobacco hogs heads. Agreed to by the Councill.

A Bill Impowering the Gour wth the Aduice of the Councill to apply fiue hundred pound *Sterl* out of the Impoſition upon Liquors raiſed this Aſſembley to the Aſſiſtance and preſeruation of *New York*. if Neceſſary. Aſſented to by the Councill

By the Councill

Mr Speaker & *Gent of the houſe of Burgeſſes*

Vpon a Bill . . . . . [See J. of H. of B., p. 36.]

By His Exy and Councill

Mr Speaker & *Gent of the houſe of Burgeſſes*

In Anſwer to . . . . . [See J. of H. of B., p. 36.]

This day the Book of Claimes being read att the Board.

Ordered that the Clerk of the Genll Aſſembley do Carry back the Book of Claimes and the following Meſſage to the Houſe of Burgeſſes.

By the Councill

Mr Speaker & *Gent of the houſe of Burgeſſes*

The Book of Claimes being Conſidered Wee do Agree to the ſame wth thoſe Additions (*Viz*) that there be Allowed to Mr Secretary *Wormley* for twenty five Writts for Election of Burgeſſes this Aſſembley According to Law

And pay for the preſent Rangers According to Act of Aſſembley

By Ordr of the Councill

May 15th 1695 *James Sherlock* Clk Genll Aſſmy

A Meſſage from the Houſe by Capt *Cuſtis* &ca wth the Book of Claimes and the Additions made Agreed to by the Councill

By the Houſe of Burgeſſes

Wheras mr *William Sherwood* is allowed by this Aſſembley thirty Seauen pound & ten ſhillings *Sterl* for the Councill Chambers, One year & an halfe Ending the 15th day of *Aprill*

Reſolued and Accordingly Ordered

That the Said Summ of thirty Seauen pound and ten ſhillings *ſterl* be paid unto the ſaid *William Sherwood* out of the Money that ſhall next Ariſe from the Impoſition upon Liquors, laid this Aſſembley, after the fiue hundred pound *Sterl* Appointed for the Supply of *New York* ſhall be raiſed.

Ordred that this Reſolue be Caryed to the Councill for their Concurence

Teſt Petr Beuerly Cl. H. of Burgeſſes

May

May 16th 1695

Preſent

HIS Excellᵞ, Mʳ Secʳ *Wormley, Richard Lee, William Byrd, Edward Hill, Edmᵈ Jennings, Hen. Hartwell* Eſqᵉ

Mʳ *Chamberlain* &cᵃ preſent from the Houſe the following Bill wᶜʰ the houſe of Burgeſſes haue paſſed and deſire the Concurence of the Councill

An Act for the Maintenence & Support of Miniſters.

Ordred that the Clerk of the Genˡˡ Aſſembley do Cary to the houſe of Burgeſſes the Reſolue of the houſe of yeſterday for paying Mʳ *William Sherwood* thirty ſeauen pounds ten ſhillings *Sterl* for rent of the Councill Chamber Agreed to by the Councill. And the Bill for the Maintenance & Support of Miniſters wᵗʰ the Amendments. And the following Meſſage.

By the Councill

Mʳ Speaker *& Gent of the houſe of Burgeſſes*

The Book of Claimes (returned . . . . . [See J. of H. of B., p. 37.]

A Reſolue from the houſe by mʳ *Sherwood* &cᵃ wᵗʰ the Bill for the Maintenance & Support of Miniſters & an Addreſs to their Mayᵗˡᵉˢ

May itt Pleaſe yoʳ Honʳˢ

The Houſe of Burgeſſes . . . . . [See J. of H. of B., p. 37.]

By the Houſe of Burgeſſes *May* 16th 1695

Reſolued & Accordingly Ordred

That Mʳ *Cope Doyly* for his Attendance and reading prayers this Aſſembley be paid the Summ̃ of fiue pounds pounds *Sterl* as it ſhall ariſe from the Impoſition upon Liquors laid this Aſſembley after the Money ordred mʳ *William Sherwood* is raiſed and paid

Reſolued & Accordingly Ordred

That Mʳ *Samuell Eborn* Clk. for his Attendance and reading Prayers this Aſſembley, be paid the Summ̃ of fiue pounds *Sterl* as itt ſhall Ariſe from the Impoſition upon Liquors laid this Aſſembley after the Money Ordred mʳ *William Sherwood* is raiſed & paid

Teſt

Pet: Beuerly Cl. Ho: Burgeſſes.

Ordred

that the Said Reſolues be Caryed to the Councill for their Concurence

Teſt. Petʳ Beuerly Clk. Houſe of Burgeſſes

A Meſſage from the houſe by Capᵗ *Randolph* &cᵃ

May it pleaſe yoʳ Honʳˢ

The Houſe of Burgeſſes Conſidering . . . . . [See J. of H. of B., p. 39.]

By the Councill *May* 16th 1695

Mʳ Speaker *& Gent of the houſe of Burgeſſes*

In Anſwer . . . . . [See J. of H. of B., p. 39.]

May 17th 1695

Preſent

MR Secʳ *Wormley, Richard Lee, William Byrd, Edward Hill, Edmᵈ Jenings, Hen: Hartwell* Eſqᵉ

A Meſſage from the houſe by mʳ *Walters* &cᵃ

May it pleaſe yoʳ Honʳˢ

Vpon Conſideracõn of yoʳ Honʳˢ Meſſage . . . . . [See J. of H. of B., p. 39.]

Ordred that the Clerk of the Generall Aſſembley do Carry the Reſolues of yeſterday to the houſe of Burgeſſes.

That

That Mr *Cope Doyly* for his Attendance and reading prayers this Affembly be paid fiue pounds *Sterl.*

And Mr *Samuell Eborn* for his Attendance and reading prayers fiue pounds *Sterl*— Affented to by the Councill

and the Bill for the Maintenance and Support of Miniſters. Not agreed to by the Councill, Except their Amendments be Added.

Genll Courthouſe

Preſent

HIS Excellv, Mr Secr *Wormley, Richard Lee, William Byrd, Edward Hill, Edm*d *Jenings, Hen: Hartwell* Eſqrs

Ordred that the Clerk of the Genll Aſſembley do Acquaint the houſe of Burgeſſes that His Exv Coñands their Imediate Attendance in the Genll Court houſe to paſs the Ingroſs'd Bills

ffor the Rangers. ffor inlarging *Princeſs Ann* County. for the Impoſition of fouer pence ℔ Gallon upon Liquors.

The fiue hundred pound Bill for the Aſſiſtance of *New York* &c the Bill for the tare and ſize of tobacco hogs heads

A Meſſage from the houſe by Mr *Park* &cs Accquainting his Excellv that the Bills were Examining, and that the houſe will waite on his Excellv Imediately

Ordred that the Clerk of the Genll Aſſembly do Accquaint the houſe of Burgeſſes, that they ſend the Ingroſs'd Bills down to the Councill

Capt *Cuſtis* &cs brings the Ingroſt Bills to the Councill wch being Examined by them

Ordred that the Clerk of the Genll Aſſembley do Carry back the Ingroſt Bills to the houſe and Acquaint them that his Exv Coñands their Imediate Attendance in the Genll Court houſe to paſs the ſaid Bills.

Mr *Speaker* and the houſe Attend His Exv Mr *Speaker* Accquaints his Exv that According to his Coñands they had brought the following Bills for his Excellvs paſſing

A Bill for Rangers att the heads of the fouer great Riuers. A Bill for Inlarging *Princeſs Ann* County. A Bill for the Impoſition of four pence ℔ Gallon upon Liquors

a Bill for fiue hundred pounds for the Aſſiſtance of *New York.*

a Bill Aſſcertaining the tare & Sizes of tobacco hogſheads, wch bills being read His Excellv was pleaſed to paſs. and ſigned the ſaid Bills & then the Speaker

After the paſſing of the ſaid Bills. His Exv did recomend to the houſe of Burgeſſes what further Neceſſary for their Mayties Seruice and the good of this their Colony & dominion of wch hoped their Suiteable regard in all reſpects.

Ordred that the Clerk of the Genll Aſſembly do Carry the ffollowing Meſſage to the Houſe of Burgeſſes.

By the Councill

*M*r Speaker *& Gent of the houſe of Burgeſſes*

To yor Meſſage . . . . . [See J. of H. of B., p. 40.]

May 18th 1695

Preſent

MR Secr *Wormley, Richard Lee, William Byrd, Edward Hill, Edm*d *Jenings, Hen Hartwell* Eſqrs

A Meſſage from the houſe by Capt *Cuſtis* &cs

By the houſe of Burgeſſes

May it pleaſe yor Honrs

Vpon Conſideracõn of yor . . . . . [See J. of H. of B., pp. 40-41.]

Ordred

Ordred that the Clk of the Gen[ll] Aſſem[y] do Carry the following Anſwer to the Meſſage of the houſe of this day

By the Councill

Mr Speaker *& Gent of the Houſe of Burgeſſes*

In Anſwer to yor Meſſage . . . . . [See J. of H. of B., p. 41.]

Ordred that the Clk of the Gen[ll] Aſſembley do Carry back the Addreſſes wth the following Meſſage to the Houſe of Burgeſſes

By the Councill

M[r] Speaker *& Gent of the houſe of Burgeſſes*

In Anſwer to your laſt Meſſage . . . . . [See J. of H. of B., p. 41.]

By the Councill

M[r] Speaker *& Gent of the houſe of Burgeſſes*

Wee haue Conſidered . . . . . [See J. of H. of B., pp. 41-42.]

Cap[t] *Craford* &c brings the Book of proportions to the Councill

Ordred that the Clerk of the Gen[ll] Aſſembley do returne the Book of proportions to the Houſe Aſſented to by the Councill.

Cap[t] *Cuſtis* &c[a] brings the following Bill from the Houſe

An Act for Raiſing a publick Leuy, and Acquaints the Councill they had nothing more before them.

Ordred that the Clerk of the Gen[ll] Aſſembley do Carry the following Bill to the houſe of Burgeſſes and deſire an Anſwer to the Meſſages, for the Reuiſall of the Law's & the Addreſſes to their May[tie]s

An Act for Raiſeing a publick Levy aſſeſted to by y[e] Councill.

A Meſſage from the Houſe by Cap[t] *Armeſtead* &c[a]

May it pleaſe yo[r] Hon[r]

The Houſe of Burgeſſes hauing taken . . . . . [See J. of H. of B., p. 42.]

Gen[ll] Court houſe

Preſent

HIS Excell[y], M[r] Sec[r] *Wormley, Richard Lee, William Byrd, Edward Hill, Edm[d] Jenings, Hen: Hartwell* Eſq[r]

Ordred that the Clerk of the Gen[ll] Aſſembley do ſignifie to the Houſe of Burgeſſes His Ex[y]s Comands that they Imediately Attend him in the Gen[ll] Court houſe to paſs ſuch Bills as Depend.

M[r] *Speaker* and the Houſe Attend and M[r] *Speaker* preſents the Bill for raiſing the publick Leuy w[ch] his Ex[y] was pleaſed to paſs—and Signed the ſaid Bill, then the Speaker.

His Ex[r] did then prorogue the Aſſembley to the laſt of *Octo[r]* next

James Sherlock Clerk of the Gen[ll] Aſſembley

225-226

AT A

GENERALL ASSEMBLY

begun at *James City* the 18th day of *Aprill* 1695 & thence continued by two Prorogations to the 23d of *Aprill* in ye eighth yeare of the Reigne of or Soveraigne Lord *William* by ye Grace of God King of *England, Scotland, France, Ireland* & *Virginia* Defender of the ffaith &c. *Annoq; Dom:* 1696

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1411, pp. 1-9.]

At a Generall Aſſembly begun at *James City* the 18th day of *Aprill* 1695 & thence continued by two Prorogations to the 23d of *Aprill* in ye eighth yeare of the Reigne of or Soveraigne Lord *William* by ye Grace of God King of *England*, *Scotland*, *France*, *Ireland* & *Virginia* Defender of the ffaith &c. *Annoq*$_3$ *Dom:* 1696

Aprill the 24th 1696

Preſent

HIS Excellency, Mr Secretary *Wormley*, Coll^{l} *Richd Lee*, Coll^{l} *Wm Byrd*, Coll^{l} *Chr Wormley*, Coll^{l} *Edwd Hill*, Coll^{l} *Edmd Jennings*, Coll^{l} *Dan^{ll} Park*, Coll^{l} *Richd Johnſon*, Coll^{l} *Charles Scarburgh*.

A Meſſage from the houſe of Burgeſſes by mr *Carter* &c. Acquainting his Excellency that the houſe was met & attended his Excellencys Comãnds:

Ordered that a Comiſſion be Prepared Appointing & Impowering Coll^{l} *Chriſtopher Wormley* Coll^{l} *Park* & Coll^{l} *Scarburgh* to Adminiſter the Severall Oaths to the new members of the houſe of Burgeſſes.

Purſuant to his Excellencys Comiſſion Coll^{l} *Chriſtor Wormley* Coll^{l} *Dan^{ll} Park* & Coll^{l} *Charles Scarburgh* went to the Gen^{ll} Courte houſe & Adminiſtred the Oaths appointed by Act of Parliamt to be taken inſtead of the Oathes of Allegiance & Supremacy (the Teſt) & the Oath of a Burgeſs to *Jo: Foſter* of *New Kent* County & *Charles Goodrich* of *Charles City* County *Mathw Watts* of *Elizh City* County & to *Richd Whitaker* of *Warwick* County.

His Excellency was Pleaſed to Comunicate his Speech to the Gentlemn of the Councill & deſired their Opinions therein wch they Unanimouſly approved of findeing nothing Wanting therein.

Gen^{ll} Courthouſe

Preſent

HIS Excellency, Mr Secretr *Wormley*, Coll^{l} *Richd Lee*, Coll^{l} *Wm Byrd*, Coll^{l} *Xpr Wormley*, Coll^{l} *Edwd Hill*, Coll^{l} *Edmd Jennings*, Coll^{l} *Dan^{ll} Park*, Coll^{l} *Richd Johnſon*, Coll^{l} *Charles Scarburgh*.

Ordered that the Clerk of the Gen^{ll} Aſſembly do Signifie to the houſe of Burgeſſes his Excellencys Comãnds Imediately to Attend him in the Generall Courthouſe where being come. His Excellency thus Expreſt himſelfe.

Gentlemen.

I doe not doubt all here, being very Sencible of Gods Continued Bleſſings to his Maty & Tranquility of this his Dominion.

I haue nothing now, or other to Say, or Offer to you then at out Laſt meeting, when his Matys Comãnds & all elce neceſſary was recommended to you Since which the Govern of *New Yorke* has demanded the Quota of Aſſiſtance comãnded by his Maty.

But I muſt againe recomẽnd to you *Gentlemen of the houſe of Burgeſſes* the preſent & effectuall Conſideracon, of what is yet Wanting So recommended before, or his [is] neceſſary for his Maties Service & Continued Welfare, Safety & Honor of this his Dominion & due regard to the Church & Colledge.

And

And hope all heartily joyning in our duty to God Almighty for his Bleſſings as by a Late Proclamacõn in this his Maᵗᵉ Colony & Dominion.

James City Aprill 24ᵗʰ 1696

A Meſſage from the houſe of Burgeſſes by mʳ *Sherwood* &ᶜ praying a Copy of his Excellencys Speech.

Ordered that the Clerk of the Genˡˡ Affᵇˡʸ do Carry a Copy of his Excellencys Speech to the houſe of Burgeſſes.

Aprill the 26ᵗʰ 1696

Preſent

HIS Excellency, Mʳ Secʸ *Wormley*, Collˡ *Richᵈ Lee*, Collˡ *Wᵐ Byrd*, Collˡ *Xpʳ Wormley*, Collˡ *Edwᵈ Hill*, Collˡ *Edmᵈ Jennings*, Collˡ *Danˡˡ Park*, Collˡ *Richᵈ Johnſon*, Collˡ *Charles Scarburgh*.

A Meſſage from the houſe by Capᵗ *Randolph* &c.

Fryday Aprill 24ᵗʰ 1696

By the houſe of Burgeſſes

Ordered that Mʳ *Randolph* Mʳ *Diggs* Mʳ *Story* & mʳ *Chamberlaine* at Some Convenient time waite upon his Excellency & pray his Excellency to Iſſue out a new Writt for the Election of Burgeſſes in *Iſle* of *Wight* County in the Roome of Mʳ *Joˢ Goodrick* decᵈ A new Writt for the Election of a Burgeſs in *Norfolk* County in the Roome of Mʳ *Wᵐ Robinſon* decᵈ & a New Writt for the Election of a Burgeſs in *Stafford* County in the Roome of Mʳ *Martin Scarlett* deceaſed who Since the Election made of him in yᵉ roome of Capᵗ *Tho Owſley* now Sherˡˡ of yᵉ County of *Staffᵈ* is deceᵈ

Ordered that the Writts do iſſue accordingly for yᵉ Election of Burgeſſes for the *Iſle* of *Wight* County for *Norfolk* County & for *Stafford* County.

Aprill the 28ᵗʰ 1696

Preſent

HIS Excellency, Mʳ Secʸ *Wormley*, Collˡ *Richᵈ Lee*, Collˡ *Wᵐ Byrd*, Collˡ *Xpʳ Wormley*, Collˡ *Edwᵈ Hill*, Collˡ *Edmᵒ Jennings*, Collˡ *Danˡˡ Park*, Collˡ *Richᵈ Johnſon*, Collˡ *Charles Scarburgh*

A meſſage from the Houſe to his Excellency by mʳ *Sherwood* &c begging leave of his Excellency to know when the houſe may Wait upon his Excellency, his Excellency appointed 3 a Clock in the Afternoone.

An Addreſs to his Excellency by yᵉ Speaker & the Whole houſe.

To his Excellency Sʳ Edmᵈ Andros *Knᵗ his Maᵗʸ Leiuᵗ & Governor Generall of* Virginia.

The humble Addreſs of the houſe of Burgeſſes.

May it Pleaſe yoʳ Excellency.

Wee his Maᵗᵉ moſt dutifull . . . . . [See J. of H. of B., 1695-1702, pp. 49-50.]

Aprill the 29ᵗʰ 1696

Preſent

HIS Excellency, Mʳ Secretary *Wormley*, Collˡ *Richᵈ Lee*, Collˡ *Wᵐ Byrd*, Collˡ *Xpʳ Wormley*, Collˡ *Edwᵈ Hill*, Collˡ *Edmᵒ Jennings*, Collˡ *Danˡˡ Parke*, Collˡ *Richᵈ Johnſon*, Collˡ *Charles Scarburgh*.

Ordered that the Clerk of the Generall Aſſembly do Carry his Excellencys Anſwer to the addreſs of the houſe of Burgeſſes of Yeſterday.

By his Excellency.

Mʳ Speaker *& Gentlemen of the Houſe of Burgeſſes*

I have Comunicated . . . . .[See J. of H. of B., pp. 50-51.]

An

An Addreſs of the houſe of Burgeſſes to his Excellency by mr *Carter* &c

By ye Houſe of Burgeſſes

May it pleaſe yor Excellency,

His Mats dutyfull & Loyall Subjects . . . . . [See J. of H. of B., p. 51.]

The Addreſs of the Houſe of Burgeſſes to his Excellency of this day his Excellency recommended to the Councill for their Conſideracõn & Adviſed [Advice] thereon

---

Aprill the XXXth 1696

Preſent

HIS Excellency, Mr Secry *Wormley*. Coll^{l} *Richd Lee*, Coll^{l} *Wm Byrd*, Coll^{l} *Xpr Wormley*, Coll^{l} *Edme Jennings*, Coll^{l} *Danll Park*, Coll^{l} *Richd Johnſon*, Coll^{l} *Charles Scarburgh*

Ordered that the Clk of the Genll Aſſbly do carry his Excellencys anſwer to the Reply of ye Houſe of Burgeſſes of Yeſterday.

By his Excellency

Mr Speaker *& Gentlemen of the houſe of Burgeſſes*

His Excellency yeſterday Laid . . . . . [See J. of H. of B., p. 52.]

An Addreſs from the houſe of Burgeſſes by Capt *Randolph* &c

By the houſe of Burgeſſes.

May it Pleaſe yor Excellency

Wee his Matties moſt dutyfull . . . . . [See J. of H. of B., p. 52.]

His Excellency laid the Addreſs of the houſe of this day before the Councill & deſired their Advice Thereupon who upon Conſideracõn of the Whole Matter are of Opinion that a Receſs be Granted.

May the 1ſt 1696

Preſent

HIS Excellency, Mr Secy *Wormley*, Coll^{l} *Richd Lee*, Coll^{l} *Wm Byrd*, Coll^{l} *Xpr Wormley*, Coll^{l} *Edmd Jennings*, Coll^{l} *Danll Park*, Coll^{l} *Richd Johnſon*, Coll^{l} *Charles Scarburgh.*

Ordered that the Clerk of the Genll Aſſbly Signifie His Excellency Comands to the houſe of Burgeſſes that they Imediately attend His Excellency in the great Brick-houſe, Where being come his Excellency thus Said

Gentlemen

Finding the Diſtemper of the Small Pox is much feared & no other buſineſs neceſſary to be diſpatched at this time, I doe Prorogue this Generall Aſſembly to the XXIXth day of *October* next.

James Sherlock Cl. Genll Aſſemy

230 -232

AT A

GENERALL ASSEMBLY

begun at *James City* the 24th day of *September* in the Eighth year of the Reign of our Sovereign Lord *William* the third of *England Scotland ffrance Ireland* &c King defender of the ffaith, *Annoq, Dom* 1696

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1411, pp. 12-39.]

At a Generall Aſſembly begun at *James City* the 24th day of *September* in the Eighth year of the Reign of our Sovereign Lord *William* the third of *England Scotland ffrance Ireland* &c King defender of the ffaith, *Annoq₃ Dom* 1696

[*September* 24th 1696.]

Preſent

HIS Excellency Sr *Edmond Andros* Knt Governor &c, *Ralph Wormeley, William Byrd, Chriſtopr Wormeley, Edmond Jenings* Eſqrs

Ordered that a Comiſſion be prepared to impower *William Byrd, Chriſtopher Wormeley* & *Daniel Parke* Eſqrs or any two of them to adminiſter the oaths & Teſt to the Elected members of the Houſe of Burgeſſes as Uſual

---

Poſt Meridiem

Preſent

HIS Excellency Sr *Edmond Andros* Knt Governor &c, *Ralph Wormeley, William Byrd, Chriſtopr Wormeley, Edmond Jenings* Eſqrs

Ordered that the Clerke of the General Aſſembly go to the Houſe of Burgeſſes and Acquaint them that his Excellency Comands their imediate Attendance in the Court Houſe where they being come,

His Excellency told them, he was verry glad to See ſo good an Appearance this firſt day of the Aſſembly and Comanded them to go back to their Houſe and make Choice of their Speaker

---

September 25th 1696

Preſent

HIS Excellency Sr *Edmond Andros* Knt Governor &c, *Ralph Wormeley, William Byrd, Chriſtopr Wormeley, Edmund Jenings* Eſqrs

A Meſſage from the Houſe of Burgeſſes by mr *Benja Harriſon* &c Acquainting his Excellency that in Obedience to his Excellency's Comands the Houſe of Burgeſſes had made choice of their Speaker

---

Generall Court Houſe

Preſent

HIS Excellency Sr *Edmond Andros* Knt Governor &c., *Ralph Wormeley, William Byrd, Chriſtopr Wormeley, Edmond Jenings, Daniel Parke* Eſqrs

Ordered that the Clerke of the Generall Aſſembly go to the Houſe of Burgeſſes and Acquaint them his Excellency Comands their Attendance in the Generall Court Houſe.

The Houſe of Burgeſſes wait upon his Excellency in the Court Houſe and Mr *Robert Carter* Acquaints his Excellency that the Houſe of Burgeſſes had made choice of

of him for their Speaker, and haveing made a Speech diſableing himſelfe, was confirm'd by his Excellency, and then prayed that what priveledges that Houſe have uſually had or Ought to injoy might be continued and Confirmed to them, which his Excellency Accordingly granted and then made a Speech and is as as ffolloweth.

Gent.

I do not doubt . . . . .[See J. of H. of B., 1695-1702, p. 59.]

September 28th 1696

Preſent

HIS Excellency Sr *Edmond Andros* Knt Governor &c., *Ralph Wormeley, William Byrd, Chriſtopr Wormeley, Edmond Jenings, Daniel Parke* Eſqrs

A meſſage from the Houſe of Burgeſſes by Mr *John Taylor* &c praying his Excellency to Appoint a meſſinger to Attend the Houſe of Burgeſſes

Ordered that a Comiſſion be prepared Appointing mr *John Chiles* his Majeſties Meſſinger to attend the Houſe of Burgeſſes

A meſſage

ffrom the Houſe of Burgeſſes by Collo *Iſaac Allerton* &c preſenting an Addreſs to his Excellency in theſe words

To his Excellency . . . . . [See J. of H. of B., pp. 63-64.]

Ordered

That the Clerke of the Generall Aſſembly carry the ffollowing anſwer to the addreſs of the Houſe of Burgeſſes, and the Account of Amunition and Stores of warr, with the Kings and Councills Letters deſired

By his Excellency

Mr Speaker *& Gent of the Houſe of Burgeſſes*

Upon your addreſs of this day I have by advice in Councill Appointed *Tueſday* next for a Day of thankſgiving and prayers to be kept by this Generall Aſſembly

Sign'd *E Andros*

29th *Septembr* 1696

October 2d 1696

Preſent

HIS Excellency Sr *Edmond Andros* Knt Governor &c, *Ralph Wormeley, William Byrd, Chriſtopr Wormeley, Edmund Jenings, Daniell Parke* Eſqrs

A meſſage to the Councill

ffrom the Houſe of Burgeſſes by Mr *John Withers* &c deſireing a conference with Some of the Councill about that part of his Excellencys Speech which relates to the Secureing of Amunition and Stores of warr on the ffrontiers Sea & Land for the better defence of the Countrey, and that the Councill pleaſe to appoint a time and place.

Ordered

That the Clerk of the Generall Aſſembly go to the Houſe of Burgeſſes and Acquaint them that they have Conſidered their Meſſage for a Conference upon that part of his Excellcys Speech which relates to Secureing the Amunition &c and defence of the ffrontiers, and that in anſwer thereto they have Appointed three of them to conferr with Such of the Houſe as ſhall be Appointed to meet them in the great Hall on *Monday* next four a Clock in the afternoon

Edward Hill, Edmund Jenings, and *Daniel Parke* Eſqrs are Appointed to Manage the Conference Appointed to be had with Some members of the Houſe of Burgeſſes on *Monday* Next.

Monday

Monday October 5th 1696

Prefent

HIS Excellency Sr *Edmond Andros* Knt Governor &c., *Ralph Wormeley, William Byrd, Chriſtopr Wormeley, Edmond Jenings, Daniel Parke* Eſqrs

A Meſſage

ffrom the Houſe of Burgeſſes by Collo *Iſaac Allerton* &c preſenting the ffollowing bills which they had paſſed, and deſireing the Concurrence of the Councill *Vizt*

A Bill for repealing the prohibition of planting tobacco after the laſt day of *June* Annually.

A bill for altering the Court day's in *Accomack* County

A bill giveing a reward to Indians for Killing of Wolves

A bill for Aſcertaining the rate & vallue which money Shall paſs at

A meſſage to his Excellency & Councill by Mr *John Giles* [*Chiles* or *Childs*] &c preſenting an Addreſs *Vizt*

To his Excellency Sr Edmond Andros *Knt his Majs Lieut and Governor Generall of* Virginia, *and the Honoble Councill of State.*

The humble Addreſs of the Houſe of Burgeſſes.

May it pleaſe yr Excy & Honors

Whereas it is repreſented . . . . . [See J. of H. of B., p. 71.]

October 7th 1696

Prefent

HIS Excellency Sr *Edmond Andros* Knt Governor &c, *William Byrd, Chriſtopr Wormeley, Edward Hill, Edmund Jenings,* Eſqrs Mr *Comiſſary Blair.*

Ordered

That the Clerk of the Generall Aſſembly carry the ffollowing anſwer to the Houſe of Burgeſſes addreſs concerning the taking up of Land on the South Side the *Blackwater* Swamp. *Vizt*

By his Excellency & Councill

Mr Speaker & *Gent of the Houſe of Burgeſſes*

In anſwer to your Meſſage relating to takeing vp Lands on the South Side of *Blackwater* Swamp, all due regard will be had therein as occaſion

(Sign'd) By ordr of His Excy & Councill

7th *October* 1696 *R. Beverley* Cl. Gen Aſſembly

Poſt Meridiem

Prefent

WILLIAM BYRD, Chriſtopr Wormeley, Edward Hill, Edmond Jeñings Eſqrs, *James Blair* Comiſſary

A bill for repealing the prohibition of planting tobacco after the laſt day of *June* Annually, read the firſt time, & ordered A Second reading

A bill for altering the Court days in *Accomack* County, read the firſt time, and Ordered a Second reading

A bill giveing reward to Indians for Killing of wolves read the firſt time, and Ordered a Second reading.

A bill for Aſcertaining the rate & vallue which money Shall paſs at, read the firſt time & Ordered a Second reading

Collo *Hill* &c reports from the Conference that he had Acquainted the Conferrees from the Houſe of Burgeſſes of his Excellencys deſires concerning the ffrontiers and that they were verry well Satisfied therewith and Said they would report the Same to the Houſe.

October

October 8th 1696

Prefent

*WILLIAM BYRD, Chriſtop*r *Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſary, *Dan*l *Parke* Eſqr

A bill for repealing the prohibition of planting tobacco after the laſt day of *June* Annually read the Second time, and Ordered to be read the third time

A bill for altering the Court days in *Accomack* County read the Second time, & Ordered a third reading.

A bill giveing reward to Indians for killing of wolves read the Second time, & Ordered a third reading.

A bill for Aſcertaing the rate and vallue which money ſhall paſs at, read the Second time, and Ordered a third reading.

October 9th 1696

Prefent

*WILLIAM BYRD, Chriſtop*r *Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſary, *Daniel Parke* Eſqr

A bill for repealing the prohibition of planting tobacco after the laſt day of *June* Annually read the third time and with Some Amendments Aſſented to.

A bill for altering the Court days in *Accomack* County read the third time and Aſſented to.

A bill giveing reward to Indians for killing Wolves read the third time and with Some Amendments Aſſented it.

Ordered

That the Clerk of the Generall Aſſembly carry the Said bills with the Amendments to the Houſe of Burgeſſes

A bill for puniſhment of fornication & Severall other Sins and offences read the firſt time, & Ordered a Second reading

A bill for divideing *King* and *Queen* County read the firſt time, and Ordered a Second reading.

A bill for the Support and Maintenance of the Clergy, read the firſt time, and Ordered a Second reading.

October 10th 1696

Prefent

*WILLIAM BYRD, Chriſtop*r *Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſary.

His Excellency laid before the Councill a paper given him late laſt night by Mr *Comiſſary* entitulled an *Act for facilitating the payment of the Donations already made to the Colledge of* William *and* Mary *in* Virginia which being Conſidered by the Councill, they find it not regular, nor According to the Uſual proceedings, It is therefore referred till *Monday* next, for Mr *Benjamin Harriſon* Junr to appear who is alledg'd by Mr *Comiſſary* to be the drawer thereof and by him deſired to be heard therein.

A bill for puniſhment of fornication and Severall other Sins and Offences read the Second time

A bill for Divideing *King* and *Queen* County read the Second time

A bill for the Support & Maintenance of the Clergy read the Second time

A Meſſage from the Houſe of Burgeſſes by *William Byrd* Junr Eſqr &c preſenting the two ffollowing Bills which they had paſs'd and deſired the Concurrence of the Councill in *Viz*t

A bill for Aſcertaining the place where the Court of *York* County Shall be kept.

A bill for Aſcertaining the Gage of Pork tarr & other Barrills.

A meſſage from the Houſe of Burgeſſes by *Wm Byrd* Junr Eſq^r &c preſenting for the Councills view the two ffollowing bills with the Amendments made by the Councill agreed to by the Houſe of Burgeſſes, and made in the Said bills *Viz^t*

A bill for repealing the prohibition of planting tobacco after the laſt day of *June* Annually.

A bill giveing a reward to Indians for killing of Wolves.

October 12th 1696

Preſent

RICHARD LEE, William Byrd, Chriſtopher Wormeley, Edward Hill Eſq^rs

A Meſſage from the Houſe of Burgeſſes by *William Byrd* Junr Eſq^r &c. preſenting the ffollowing bills which they had paſs'd and deſire the concurrence of the Councill in *Viz^t*

A byll for impoſeing penalties vpon the non appearance of evidences

A byll declaring how long Judgements & Specialties ſhall be pleadable.

A bill for alteration of inconvenient roads

A bill for Aſcertaining damages upon Appeales

October 13th 1696

Preſent

RICHARD LEE, William Byrd, Chriſtop^r Wormeley, Edward Hill, Edmund Jennings, Daniell Parke Eſq^rs

The following bills were read the firſt time *Viz^t*

A bill for Aſcertaining the place where the Court of *York* County Shall be kept

A bill for Aſcertaining the Gage of Pork Tarr, & other bills [barrels]

A bill for impoſeing penalties upon the non Appearance of evidences.

A bill declaring how long Judgements and Specialties Shall be pleadable

A bill for the alteration of inconvenient Roads, &

A bill for Aſcertaining damages vpon Appeales,

The paper entitulled *an Act for facilitating the payment of the Donations already made to the Colledge of* William & Mary *in* Virginia, being referred from *Saturday* till *Monday* that Mr *Benj^a Harriſon* Junr might be here, and Mr Comiſſary *Blair* who preſented the Same nor the Said *Harriſon* not being in town, It was not then called & being now again read, It is further referred that the Said *Harriſon* may be heard or till Mr *Comiſſary* come.

The bill for Aſcertaining the rate and vallue which Money Shall paſs at being read the third time is not Aſſented to.

The bill for divideing *King* and *Queen* County being read the third time, is not Aſſented to.

The bill for repealing the prohibition of planting tobacco after the laſt day of *June* Annually, and the Bill giveing reward to Indians for Killing Wolves being return'd Amended and aſſented to by the Houſe of Burgeſſes According to the Amendments in Councill

Ordered

That the Clerk carry the Said four bills to the Houſe of Burgeſſes

The bill for puniſhment of ffornication and Severall other Sins and offences, &

The bill for the Support and Maintenance of the Clergy Mr Comiſſary *Blair* not being here are referred.

October

October 14th 1696

Preſent

RICHARD *Lee, Wm Byrd, Chriſtopr Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſary, *Danl Parke, Charles Scarburgh* Eſqrs

Mr Comiſſary *Blair* deſires to withdraw the paper which he put in on *ffryday* night laſt Entituled *an Act for facilitateing the payment of the donations already made to the Colledge of* William *and* Mary *in* Virginia Which is Accordingly granted.

Upon the petition of *Benjamin Harriſon* and *William Randolph* two of the truſtees for the College of *William & Mary* in *Virginia*, leave is given them to bring in a bill for facilitating the payment of the donations already made to the Said College.

October 15th 1696

Preſent

RICHARD *Lee, Chriſtopr Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſary, *Daniel Parke, Charles Scarburgh* Eſqrs

The Six following bills were read the Second time *Viz*t

A bill for Aſcertaining the place where the Court for *York* County Shall be kept

A bill for Aſcertaining the Gage of Pork tarr & other barrills

A bill for impoſeing penalties Vpon the non appearance of Evidences

A bill declaring how long Judgements & Specialties ſhall be pleadable

A bill for the Alteration of inconvenient Roads &

A bill for Aſcertaining of Damages Vpon appeal's, and Ordered to be read a third time

William Randolph and *Benjamin Harriſon* two of the truſtees for the College of *William* and *Mary* in *Virginia* According to leave given them yeſterday preſented a bill for payment of the Donations already made to the Said College which was read the firſt time & Ordered a Second reading.

A Meſſage from the Houſe of Burgeſſes by Mr *John Taylor* &c preſenting two bills which the houſe had paſſed, and deſired the Concurrence of the Councill in *Viz*t

A bill for prevention of Clandeſtine Marriages &

A bill for Aſcertaining what Shall be Sufficient proof to Letters of Attorney.

A Meſſage from the Houſe of Burgeſſes by *William Byrd* Junr Eſqr &c preſenting two bills which the houſe had paſſed and deſire the Concurrence of the Councill in *Viz*t

A byll for Erecting and building of pounds in the Counties of *Accomack* and *Northampton* &

A bill for the better Supply of the Country with Armes and Amunition

---

October 16th 1696

Preſent

RICHARD LEE, *Wm Byrd, Chriſtop: Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſry, *Danl Parke. Char: Scarburgh* Eſqrs

The bill for prevention of Clandeſtine Marriages read the firſt time and Ordered a Second reading

The bill for Aſcertaining what ſhall be Sufficient proofe to Letters of Attorney read the firſt time and Ordered a Second reading.

The bill for Erecting & building of Pounds in *Accomack* and *Northampton* read the firſt time & Ordered a Second reading

The bill for the better Supply of the Country with Arm's and Amunition, read the firſt time and Ordered a Second reading.

The

The bill for punifhment of ffornication and Severall other Sins and offences read the third time & with Some Amendments Agreed to

The bill for the Support and Maintenance of the Clergy read the third time and with Some Amendments agreed to.

The bill for Afcertaining the place where the Court of *York* County fhall be kept read the third time & agreed to.

Ordered that the Clerke of the Generall Aſſembly carry the Said three bills, with the amendments to the Houſe of Burgeſſes.

A bill for facilitating the payment of the Donations to the College of *William* and *Mary* in *Virginia*, read the Second time, and Ordered to be read the third time.

The bill for Afcertaining the Gage of Pork Tarr and other Barriells, read the third time and Severall Amendments Ordered to be made in the Said bill.

October 17th 1696

Preſent

*RICHARD LEE, William Byrd, Chriſtop*r *Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſary, *Dan*l *Parke, Charles Scarburgh* Eſqr

The Amendments made by Order of Yeſterday to the bill Afcertaining the Gage of Porke Tarr and other barrells, were read and the Said bill agreed to with the Said Amendments.

The bill for impoſeing penalties Vpon the Non-appearance of Evidences, was read the third time and Agreed to.

The bill declaring how long Judgements and Specialties ſhall be pleadable, read the third time and Agreed to.

The bill for the alteration of inconvenient roads, was read the third time, & rejected

The bill for Afcertaining of Damages Vpon appeales was read the third time and Agreed to.

Ordered

That the Clerk of the Generall Aſſembly carry the Said five bills with the Amendments to the Houſe of Burgeſſes

A Meſſage from the Houſe of Burgeſſes by Mr *William Leigh* &c preſenting the bill for punifhment of fornication and Severall other Sins and Offences with the amendments propoſed by the Councill inſerted in the Said bill by the Houſe, which being viewed by the Councill the Said bill with Said Amendments was agreed to.

Ordered

That the Clerk of the Generall Aſſembly return the Said bill to the Houſe of Burgeſſes

A bill for prevention of Clandeſtine Marriages read the Second time and Ordered a third reading.

A bill for Afcertaining what Shall be Sufficient proofe to Letters of Attorney read the Second time and Ordered A third reading

A bill for Erecting and building of Pounds in the Counties of *Accomack* and *Northampton* read the Second time and Ordered a third reading

A bill for the better Supply of the Country with Armes & Amunition read ye Second time & ordered a third reading

A bill for facilitating the payment of the Donations to the College of *William* and *Mary* is referred to be read the third time on *Monday*, Mr *Comiſſary* not haveing Shewed the breiffs or Charter as deſired before now.

A meſſage to his Excellency by Mr *William Leigh* &c preſenting an Addreſs from the Houſe of Burgeſſes

A meſſage to the Councill by Mr *William Randolph* &c preſenting two bills which the Houſe of Burgeſſes had paſſed and deſire the concurrence of the Councill in *Viz*t

A bill appointing Rangers at the heads of the great Rivers &

A bill for prevention of Mifchiefs from the *Maryland* Indians hunting in *Virginia*.

A meſſage to the Councill by *William Randolph* Eſq^r &c deſireing a Conference with Some of the Councill vpon the Amendments propoſed to the bill for the Support and Maintenance of the Clergy

Ordered

That in anſwer thereto, the Clerk of the Generall Aſſembly go to the Houſe of Burgeſſes and Acquaint them that three of the Councill are Appointed to meet Such as Shall be Appointed by the Houſe of Burgeſſes to conferr with them as aforeſaid on *Monday* next four a Clock in the afternoon in the great Hall.

Monday October 19th 1696

Preſent

RICHARD LEE, William Byrd, Chriſtop^r Wormeley, Edmund Jenings, Cha: Scarburgh Eſq^rs

Richard Lee, Edmund Jenings & Charles Scarburgh Eſq^rs are Appointed to Manage the Conference Appointed this afternoon Vpon the Amendments propoſed to the bill for the Support and Maintenance of the Clergy

A meſſage from the Houſe of Burgeſſes by Coll *Iſaac Allerton* &c Preſenting a bill for regulateing and aſcertaining County Court Clerks fees, which the Houſe had paſſed and deſire the Concurrence of the Councill in

---

Tueſday October 20th 1696

Preſent

RICHARD LEE, William Byrd, Chriſtop^r Wormeley, Edward Hill, Edmund Jenings Eſq^rs, *James Blair* Comiſſ^ry, *Danl Parke, Charles Scarburgh* Eſq^rs

The bill for facilitating the payment of the Donations to the College of *William* and *Mary* in *Virginia* being read the third time and the queſtion put whether it Should paſs as it is, it paſſed in the Negative & the queſtion being put whether it Should be Amended it paſſed alſo in the Negative

A bill for prevention of Clandeſtine Marriages read the third time and with Some Amendments agreed to.

A bill for Aſcertaining what Shall be Sufficient proofe to Letters of Attorney read the third time and with Some Amendments agreed to.

A bill for Erecting and building of pounds in the Counties of *Accomack* and *Northampton*, read the third time and with Some Amendments Agreed to.

Ordered

That the Clerk Carry the Said three bills to the Houſe of Burgeſſes

A bill for the better Supply of the Country with Arm's and Amunition read the third time and referred again to be again conſidered to Morrow Morning

A bill for Aſcertaining the Gage of pork tarr and other barrells, with the Amendments propoſed by the Councill inſerted in the Said bill and Agreed to by the Houſe of Burgeſſes being Viewed by the Councill, the Said bill with the Said Amendments are Affented to, & Ordered that the Clerk return the Said bill to the Houſe of Burgeſſes

A bill appointing Rangers, at ye heads of ye four great Rivers, read ye firſt time & ord^rd a 2^d reading.

A bill for prevention of Miſcheifs from the *Maryland* Indians hunting in *Virginia*, read the firſt time and Ordered a Second reading

A bill for regulateing and Aſcertaining County Court Clk's fees read the firſt time and Ordered a Second reading.

October

October 21th 1696

Preſent

RICHARD LEE, *William Byrd, Chr: Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſry, *Danl Parke, Charles Scarburgh* Eſqrs

A Meſſage from the Houſe of Burgeſſes by *Iſaac Allerton* &c preſenting the book of publick claimes which they had paſſed and deſired the Concurrence of the Councill &

A bill for prevention of Clandeſtine Marriages with the Amendments propoſed by the Councill inſerted in the Said bill and Agreed to by the Houſe of Burgeſſes.

Reſolved that a meſſage be Sent to the Houſe of Burgeſſes on the Subject matter of Amendments propoſed to the bill for Support and Maintenance of the Clergy and Ordered that *Edward Hill* and *Edmund Jenings* Eſqrs prepare the Same.

October 23th 1696

Preſent

RICHARD LEE, *William Byrd, Chris Wormeley, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſry, *Danl Parke, Char: Scarburgh* Eſqrs

A Meſſage from the Houſe of Burgeſſes by *Iſaac Allerton* Eſqr &c returning the bill for the Support and Maintenance of the Clergy with the Amendments, to which the Houſe of Burgeſſes have Agreed, Except the word [Sixteen] inſtead of the word [fourteen] In which they do adhere to the former vote of their Houſe.

Edward Hill and *Edmund Jenings* Eſqrs having prepared a Meſſage to the Houſe of Burgeſſes on the Amendments propoſed to the bill for Support and Maintenance of the Clergy which being read and approved of

Ordered

That the Clerk of the General Aſſembly carry the Said bill to the Houſe of Burgeſſes and the Said Meſſage which is as ffolloweth.

By the Council

Mr Speaker *& Gent. of the Houſe of Burgeſſes.*

His Excellency having been pleaſed . . . . . [See J. of H. of B., p. 93.]

A bill for the better Supply of the Country with Armes and Amunition is Comitted to *Chriſtopher Wormeley & Daniel Parke* Eſqrs to conſider of fit amendments to be made thereon, and report tomorrow Morning.

A bill Appointing Rangers at the heads of the ffour great Rivers read the Second time & Ordered a third reading.

A bill for prevention of Miſchiefs from the *Maryland* Indians hunting in *Virginia*, read the Second time & Ejected

A bill for regulateing and Aſcertaining County Court Clerks fees read the Second time & Ordered a third reading

A meſſage from the Houſe of Burgeſſes by *William Randolph* Eſqr &c preſenting the bill for the Support & Maintenance of the Clergy with the Amendments as propoſed at the conference inſerted in the Said bill by the Houſe of Burgeſſes, which being Viewed by the Councill is agreed to.

October 24th 1696

Preſent

WILLIAM BYRD, *Chriſtopr Wormeley, Edward Hill, Edmond Jenings* Eſqrs, *James Blair* Comiſſry, *Daniel Parke, Charles Scarburgh* Eſqrs

Chriſtopher Wormeley & Daniel Park Eſqrs report the bill for the better Supply of the Country with Arm's & Amunition with Severall Amendments to be made hereto, which being read, are agreed to.

A bill Appointing Rangers at the heads of the four great Rivers being read the third time is agreed to with Some Amendments.

A bill for prevention of Clandeſtine Marriages with the Amendments propoſed by the Councill inſerted and Agreed to by the Houſe of Burgeſſes, is Aſſented to

Ordered

That the Clerk of the Generall Aſſembly carry the Said three bills with the Amendments, and the bill for the better Support and Maintenance of the Clergy, and the bill for the prevention of Miſchiefs from the *Mary Land* Indians hunting in *Virginia* to the Houſe of Burgeſſes.

A bill for regulateing and Aſcertaining County Court Clerks fees is Comitted to *Edward Hill* and *Charles Scarburgh* Eſq^rs^ to conſider of ſitt Amendments to be made thereto & report on *Monday* Morning.

October 26th 1696

Preſent

WILLIAM BYRD, Chriſtop^r^ Wormeley, Edward Hill, Edmund Jenings Eſq^rs^, *James Blair* Comiſſ^ry^, *Daniel Parke, Charles Scarburgh* Eſq^rs^

A Meſſage from the Houſe of Burgeſſes by M^r^ *W^m^ Baſſett* &c preſenting the bill for Appointing Rangers at the heads of the four great Rivers, and Saying that the Houſe do Adhere to the Said bill as it was before paſſed in the Houſe & pray the concurrence of the Councill

---

October 27th 1696

Preſent

WILLIAM BYRD, Chriſtop^r^ Wormeley, Edward Hill Eſq^rs^, *James Blair* Comiſſ^ry^, *Danl Parke, Charl: Scarburgh* Eſq^rs^

A Bill for regulateing and Aſcertaining County Courts Clerks fees, is Agreed to.

The Book of publick claimes being read, Some Amendments and Additions were made, &

Ordered

That the Clerk of Generall Aſſembly carry the Said Bill, and Book of Claimes with the Amendments to the Houſe of Burgeſſes.

A Meſſage from the Houſe of Burgeſſes by *William Randolph* Eſq^r^ &c preſenting the Book of Claimes with Severall Additions made thereto, by the Houſe & prayed the concurrence of the Councill, which being Conſidered, and one of the Said additions not thought Sufficient, the following Meſſage was written

By the Councill

*M^r^* Speaker *& Gent of the Houſe of Burgeſſes.*

Upon conſideration of your allowance . . . . . [See J. of H. of B., p. 96.]

A bill for Appointing Rangers at the heads of the four great Rivers is Agreed to.

Ordered

That the Clerk of the Generall Aſſembly carry the Said Written Meſſage with the Book of Claimes, & the Said Bill to the Houſe of Burgeſſes

---

October 28th 1696

Preſent

RICHARD LEE, William Byrd, Chr: Wormeley, Edward Hill, Edmund Jenings Eſq^rs^, *James Blair* Comiſſ^ry^, *Danl Park, Char: Scarburgh* Eſq^rs^

A Meſſage from the Houſe of Burgeſſes by Mr *John Thompſon* &c bringing the Book of Claimes again with a written reſolve of the Houſe in theſe words *May it pleaſe yor Hono^rs^*

The Houſe of Burgeſſes . . . . . [See J. of H. of B., p. 96.]

And

And further acquainting the Councill that there was Nothing now lay before the Houſe

The Said Meſſage being Conſidered

Ordered

That the Clerk of the Generall Aſſembly return the Book of Claimes, with the ffollowing Meſſage.

By the Councill

Mr Speaker *& Gent of the Houſe of Burgeſſes*

We have conſidered . . . . .[See J. of H. of B., p. 96.]

A Meſſage from the Houſe of Burgeſſes by Capt *Michael Sherman* &c preſenting again the Book of Claimes with A written Meſſage in theſe words

May it pleaſe yor Honors

The Houſe of Burgeſſes . . . . .[See J. of H. of B., pp. 96-97.]

Which Meſſage being conſider'd, & the Said Amendment of twenty pounds made in the Book of Claimes it is a Agreed to.

Ordered

That the Clerk of the Genll Aſſembly return the Book of Claimes to the Houſe of Burgeſſes and Acquaint them the Councill expects they Send them the roll of bills which are paſt for their peruſall

---

October 29th 1696

Preſent

RICHARD LEE, William Byrd, Chriſtopr Wormeley, Edward Hill, Edmund Jenings Eſqrs, *James Blair* Comiſſry, *Charles Scarburgh* Eſqr

A Meſſage from the Houſe of Burgeſſes by Mr *William Leigh* &c preſenting the Roll of Bills which were paſt, for the Councills View.

October 30th 1696

Preſent

RICHARD LEE, William Byrd, Chr Wormeley, Edward Hill, Edmund Jenings Eſqrs, *James Blair* Comiſſry, *Charles Scarburgh* Eſqr

A Meſſage from the Houſe of Burgeſſes preſenting the Book of proportions of publick dues in tobacco.

The Account of money due vpon the four pence ℔ gall; and the proportion thereof &

A bill for raiſing a publick Levie to all which they pray the Councills concurrence.

The book of proportions of publick dues in tobacco

The Account of money due vpon the 4d ℔ gall: and the proportion thereof &

A bill for raiſing a publick Levie

being read are Agreed to and *Ordered* that the Clerke of the Generall Aſſembly carry the Same to the Houſe of Burgeſſes, together with the roll of Bills which they had ſent

The Councill in Conſideration of the Clergys Addreſs haveing Ordered a Copy thereof for the Houſe of Burgeſſes as concerned therein; *Ordered* that the Clerk of the Generall Aſſembly Acquaint the Houſe of Burgeſſes therewith and carry them the Said Copy.

October 31th 1696

Preſent

HIS Excellency Sr *Edmond Andros* Knt Governor &c., *Richard Lee, William Byrd, Edward Hill, Edmund Jenings* Eſqrs, *James Blair* Comiſſry, *Danl Parke, Charles Scarburgh* Eſqrs

A Meſſage from the Houſe of Burgeſſes by Coll *Iſaac Allerton* &c preſenting an addreſs to his Excellency, in anſwr to ye Clergys Addreſs

Ordered

Ordered that the Clerk of the Generall Affembly Acquaint the Houſe of Burgeſſes that his Excellency Comands their Attendance in the Generall Court Houſe forthwith

And the Said Houſe of Burgeſſes being thither come, his Excellency was pleaſed to Sign the Severall Law's hereafter mention'd, which were prefented by Mr *Speaker Viz^t*

An Act for prevention of fornication & Scerall other Sins and Offences

An Act for altering the Court days in Accomack *County.*

An Act for giveing a reward to Indians for killing of Wolves.

An Act for repealing the prohibition of planting tobacco after the laſt day of June *Annually.*

An Act for Aſcertaining Damages upon Appeales

An Act for impoſeing penalties upon the Nonappearance of evidences.

An Act declaring how long Judgements & Specialties Shall be pleadable.

An Act for Aſcertaining the place where the Court for York *County Shall be kept.*

An Act for Aſcertaining the Gage of Pork Tarr and other barrells.

An Act for prevention of Clandeſtine Marriages.

An Act for the better Support & Maintenance of the Clergy

An Act for Aſcertaining County Court Clks fees

An Act Appointing Rangers at the heads of the four great Rivers

An Act for Raiſing a publick Levie

And then

His Excellency Ordered the Said Houſe to return and adjourn themſelves to *Thurſday* the 29th day of *Aprill* next.

A true Copy

Teſt R Beverley Cl Genl Aff^bly^

245-246

ATT A

GENE^{LL} ASSEMBLY

begunn att *James City* ye 18th day of *Aprill* 1695 & Continued by prorogation & adjou^{r}nm^{t} to ye 21^{ft} day of *Octo^{r}* in ye ninth year of ye Reigne of our Sovereigne Lord *William* by ye Grace of God of *England Scotland france Ireland* & *Virginia* Defend^{r} of the faith &c *Annoq Domini* 1697.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1411, pp. 40-57.]

Att a Gene[ll] Affembly begunn att *James City* y[e] 18[th] day of *Aprill* 1695 & Continued by prorogation & adjou[r]nm[t] to y[e] 21[ft] day of *Octo[r]* in y[e] ninth year of y[e] Reigne of our Sovereigne Lord *William* by y[e] Grace of God of *England Scotland france Ireland* & *Virginia* Defend[r] of the aith &c *Annoq Domini* 1697.

[*October* 21[ft] 1697.]

Prefent

HIS Exce[llcy], *Wm Byrd, Chr. Wormeley, Edward Hill, Edm[o] Jenings, Rich[d] Jn[o]fon, Chr. Scarburgh Jn[o] Lightfoot* Efq[rs]

A meffuage from y[e] houfe of Burgeffes by Cap[t] *W[m] Randalph* &c acquainting his Ex[y] y[t] y[e] houfe was mett & waited his Ex[ys] Commands his Ex[y] told them they were an adjourned houfe & might proceed on theire Bufinefs

---

Gen[ll] Court houfe y[e] 23[d] *Octo[r]* 1697

Prefent

HIS Ex[y], *Wm Byrd, Chr Wormeley, Edward Hill, Edm[o] Jenings, Rich[d] Jn[o]fon, Ch: Scarburgh, Jn[o] Lightfoot* Efq[rs]

Ord[r]d that y[e] Clerk of the Gen[ll] Affembly doe Signifie to y[e] houfe of Burgeffes his Ex[ys] Comands Imediatly to attend him in y[e] Gen[ll] Court houfe where being Come his Ex[y] thus Expreft himfelfe

Gent.

Soon after yo[r] adjournment . . . . . [See J. of H. of B., pp. 105-106.]

Coll *Chr Wormley* & Coll *Edm[o] Jenings* are appointed to Adminift[r] the Vfuall Oaths y[e] teft to the New Elected Members of y[e] houfe of Burgeffes

Coll *Chr Wormley* & Coll *Edm[o] Jenings* went to the Gen[ll] Court houfe & Adminift[r]d y[e] Oaths appointed by Act of Parliament to be taken Inftead of the Oaths of Allegiance and Sup[r]macy the teft to M[r] *Phill Ludwell* Juni[r] in the Room of M[r] *W[m] Sherwood* for *James City* decd to M[r] *James Cock* for *Henrico* County in the room of M[r] *W[m] Byrd* gone for *England* to M[r] *Rob[t] Hubbard* in y[e] Roome of M[r] *Rich[d] Whitaker* Sheriff for *Warwick County.*

Octo 26[th] 1697

Prefent

RICH[D] LEE, W[m] Byrd, Chr Wormley, Edward Hill, Edm[o] Jenings, Rich[d] Jn[o]fon, Chr Scarburgh Efq[rs]

A Meffuage from y[e] houfe of Burgeffes to y[e] Councill by Cap[t] *Withers* &c defireing a Conference with the Councill ab[t] that part of his Ex[y] fpeech relating to Indians

Coll *Rich[d] Lee* Coll *Wm Byrd* and Coll *Ed Jening[s]* are appointed to Manage the Conference

Ord'd

Ordᵈ yᵗ yᵉ Clerk of yᵉ Genᴵˡ Affembly doe Acquaint yᵉ houſe of Burgeſſes yᵗ three of the Gent of the Councill will Meet Such Members of the houſe of Burgeſſes as they ſhall appoint to Conferr abᵗ that part of his Exᵛᵉ Speech relateing to Indians att 5 a Clock in the Aftʳ Noon in the great Hall

---

Octoʳ 29th [27th] 1697

Prſent

HIS Exᵛ, *Richᵈ Lee, Wm Byrd, Chr Wormley, Edward Hill, Edmᵒ Jenings, Richᵈ Jnᵒſon, Chr: Scarburgh* Eſqʳᵉ

An Addreſs from yᵉ houſe of Burgeſſes to his Exᵛ by Capᵗ *Wm Leigh* &c

To his Exᵛ Sʳ Edmᵒ Andros *Knᵗ his Majᵗᵉˢ Levᵗ & Governour Genᴵˡ of* Virginia
the humble addreſs of the houſe of Burgeſſes
May itt pleaſe your Excᵛ
Wee his Majᵗᵉˢ Loyall . . . . . [See J. of H. of B., p. 109.]

Octoʳ 28th 1697.

Preſeᵗ

HIS Exᵛ, *Richᵈ Lee, Wm Byrd, Chr. Wormley, Edward Hill, Edmᵒ Jenings, Richᵈ Jnᵒſon, Chr. Scarburgh* Eſqʳᵉ

Coll *Lee* reports from the Conference with the Members appointed by the houſe of Burgeſſes that yᵉ Gent Acquainted them they were not ſoe Much for a Conference as to Adviſe what May be for yᵉ good of this Country & yᵉ beſt ways & Methods for bettʳ Secureing itt yᵗ they Conceived the laws were Sufficient but deſired the Councill to propoſe any other means or Methods the Genᵗ of the Councill not being directed So to do told them they would report the Same to yᵉ board

Upon Conſidʳtion of the Addreſs of the houſe of Burgeſſes to his Exᵛ of yeſterday wᶜʰ his Exᵛ was pleaſd to lay before the Councill, the Councill doe deſire Conference with the houſe of Burgeſſes

Coll *Richᵈ Lee* Coll *Wm Byrd* & Coll *Ed Jenings* are Appointed to Manage the Conference

Ordᵈ that the Clerk of the Genᴵˡ Affembly doe Signifie to yᵉ houſe of Burgeſſes that yᵉ Councill deſire a Conference with the houſe of Burgeſſes & that three of the Councill will meet Such Members as the houſe ſhall appoint to Conferr abᵗ the Subject Matter of his Exᵛᵉ Speech Relateing to Indians & the Militia att 9 a Clock a Clock to Morrow Morning in the Great Hall

---

Octoʳ 29th 1697

Preſenᵗ

RICHᴰ LEE, *Wm Byrd, Chr. Wormley, Edward Hill, Edmᵒ Jenings, Richᵈ Jnᵒſon, Chr Scarburgh* Eſqʳᵉ

Coll *Lee* reports from the Conference deſirᵈ by the Councill that they mett the Gent—appointed by the houſe & did acquaint them that they were to Conferr on the Subject Mattʳ of the Addreſs of the houſe of Burgeſſes to his Exᵛᵉ Speech relateing to the Indians & the Militia that to the firſt they thought yᵉ Same was not fully and plainly Expreſs'd & deſired the Advice of the houſe whether the *Piſcataway* Indians ought to be removed or what fitt to be done & the Indian priſoners to be releaſd or Continued & that relateing to the Militia his Exᶜʸ did Mention to the houſe of Burgeſſes on the Repreſentation of the Councill & the Severall Comdʳᵉ in Chiefe that they thought

thought the laws were wanting and Vncertain being Variouſly and dubiouſly Expounded & Executed theirfore the Gen[t] of the Councill thought itt proper & fitt for theire Conſid[r]ation all w[ch] being fully diſcourſed the Member[s] Said they would faithfully report itt to the houſe—

Cap[t] *Michaell Sherman* &c bring from y[e] houſe of Burgeſſes the booke of Claimes

---

Octo[r] 30[th] 1697

Pr[ſ]en[t]

RICH[D] LEE, Wm Byrd, Chr Wo[r]mley, Edward Hill, Edm[o] Jenings, Rich[d] Jn[o]ſon, Chr Scarburgh Eſq[rs]

A Meſſuage from the houſe of Burgeſſes by M[r] *Haney* Cl[k] to the Councill

By the houſe of Burgeſſes

May itt pleaſe yo[r] Hon[r]

A Report being Made . . . . . [See J. of H. of B., pp. 112-113.]

Novem[r] 1[ſt] 1697

Preſen[t]

RICH[D] LEE, Wm Byrd, Chr Wormley, Edward Hill, Edm[o] Jenings, Rich[d] Jn[o]ſon, Ch Scarburgh, Jn[o] Lightfoot Eſq[rs]

the booke of Claiemes being this day read & Confid[r]ed, *Ord[r]d* that the Clerk of the Gen[ll] Aſſembly doe Carry the following Meſſage & the Booke of Claimes with y[e] Amendments to the houſe of Burgeſſes.

By the Councill

M[r] Speaker *& Gen[t] of the houſe of Burgeſſes*

The Councill haveing Confid[r]d . . . . . [See J. of H. of B., pp. 114-115.]

No[r] 2[d] 1697

Preſen[t]

RICH[D] LEE, Wm Byrd, Chr Wormley, Edward Hill, Edm[o] Jenings, Rich[d] Jn[o]ſon, Chr Scarburgh, Jn[o] Lightfoot Eſq[rs]

A Meſſage from the houſe of Burgeſſes by Cap[t] *Michaell Sherman* &c w[th] the booke of Claimes the Amendments Additions being agreed to by the houſe the booke of Claimes returnd to the houſe by Cap[t] *Sherman* &c.

Aſſented to by the Councill

Signd by Ord[r] of y[e] Councill

James Sherlock Cl Gen[ll] Aſſembly

Nov[r] 3[d] 1697

Pr[ſ]en[t]

RICH[D] LEE, Wm Byrd, Chr Wormley, Edward Hill, Edm[o] Jenings, Rich[d] Jn[o]ſon Chr Scarburgh Eſq[rs]

Ameſſuage from the houſe by Cap[t] *Baſſett* &c with the booke of proportions M[r] Treaſurer *Byrds* Account Ord[r] of the houſe to m[r] Treaſurer *Byrd* to pay Severall Sums of Money & a bill for Raiſeing a publick Levie

The Bill for Raiſeing a Publick Levie read and Aſſented to by the Councill

Signd by Ord[r] of the Councill

James Sherlock Cl Gen[ll] Aſſembly

Ord'd

Ord'd that the Clerk of the Gen^{ll} Affembly doe Carry the booke of proportions m^{r} Treafurer *Byrd*s Account and the Ord^{r} of the houfe & the bill for Raifeing a publick Levie to the houfe of Burgeffes

Affented to by the Councill
Signed by Ord^{r} of the Councill
James Sherlock Cl Gen^{ll} Affembly

A meffuage from the houfe by Capt *Leigh* &c Acquainting his Ex^{y} that the houfe had Nothing more lay before them only waite his Ex^{ys} Comands

---

Gen^{ll} Court houfe

Prfent

HIS Excellency, *Richd Lee, Will Byrd, Chr Wormley, Edward Hill, Edm^{o} Jenings, Rich^{d} Jnofon, Char Scarburgh* Efq^{rs}

Ord'd that the Cl of the Gen^{ll} Affembly doe Signifie his Ex^{ys} Comands to the houfe of Burgeffes Imediately to Attend him in the Gen^{ll} Court houfe to pafs ye Bill for raifeing a publick Levie, The hous Attend the Cl of the houfe of Burgeffes read ye Bill for Raifeing a publick Levie his Ex^{y} was pleafed to Sign the Same and then the Speaker, His Ex^{y} then diffolved the Gen^{ll} Affembly.

James Sherlock Cl Gen^{ll} Affm^{y}

251-252

ATT A

GENERALL ASSEMBLY

begun at *James City* the 28th day of *September* in the tenth yeare of the Reign of our Soveraign Lord *William* the third by the Grace of God of *England Scotland france Ireland* &c King Defender of ye ffaith *Annoq; Dom.* 1698

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1411, pp. 60-65.]

Att Generall Aſſembly begun at *James City* the 28th day of *September* in the tenth yeare of the Reign of our Soveraign Lord *William* the third by the Grace of God of *England Scotland france Ireland* &c King Defender of ye ffaith *Annoq; Dom.* 1698

[*September* the 28th 1698.]

Preſent

HIS Excy Sr *Edmd Andros* Knt Governor &c, Mr Auditor *Byrd*, Collo *Edwd Hill*, Collo *Edmd Jenings*, *John Lightfoot* Eſqr

His Excy was pleaſed to Comiſſionate Collo *Wm Byrd* Collo *Edwd Hill* & Collo *Edmund Jenings* or any two of them to adminiſter ye Oathes appointed to be taken in Stead of ye Oathes of Allegiance & Supremacy the teſt & the Oath of a Burgeſs to the Burgeſſes Elected & returned to Serve in the Genll Aſſembly. And Likewiſe Comiſſionated the fd perſons to Adminiſter ye fd Oathes appointed to be taken in Stead of the oathes of Allegiance & Supremacy the teſt & the oath of Clerk. of the Houſe of Burgeſſes unto *Peter Beverley* Gentleman.

In the Genll Courthouſe *Septembr* 29h 1698

Preſent

HIS Excellency, *William Byrd, Edward Hill, Edmd Jenings, John Lightfoot* Eſqrs

His Excy Ordered mr *Thacker* to go up to ye Houſe of Burgeſſes and Acquaint them that he Comands their Immediate attendance upon him in the Generall Courthouſe and they being come down, Ordered them to return to their houſe & make Choyce of a Speaker.

September ye 30th 1698.

Preſent

HIS Excellency, *Wm Byrd, Edward Hill, Edmd Jenings, John Lightfoot* Eſqrs

Mr *Robert Carter* & Severall of ye members of the Houſe of Burgeſſes waited on his Exčy to acquaint him that in obedience to his Exčys Comands the Houſe of Burgeſſes had made Choyce of their Speaker & deſired to know when they Should wait on his Exčy to preſent him.

Ordered that mr *Thacker* go to the Houſe of Burgeſſes & acquaint them that his Exčy Comands their immediate attendance upon him in the Genll Courthouſe.

And accordingly the Houſe of Burgeſſes attended his Exčy in the Genll Courthouſe, and Capt *William Randolph* Acquainted his Exčy that the Houſe of Burgeſſes had made Choyce of him for their Speaker and haveing made a Speech Diſableing himſelfe was Confirmed by his Exčy, and then prayed that what priviledges that houſe have uſually had or ought to Enjoy might be Continued & Confirmed to them which his Excellcy Accordingly Granted and was pleaſed to make the following Speech.

Gentlemen

Great Complaints . . . . . [See J. of H. of B., 1695-1702, p. 121.]

In

In the Gen^{ll} Courthouſe ye 6th of *October* 1698.

Preſent

HIS Excellency, *Richard Lee, William Byrd, Edward Hill, Edm^{d} Jenings, John Lightfoot* Eſq^{rs}

Ordered, that Capt *ffrancis Clements* go to the Houſe of Burgeſſes & acquaint them that his Exc̃y Coñands their Immediate Attendance upon him in the Gen^{ll} Court houſe. and they being accordingly come down. his Excy was pleaſed to acquaint them that haveing had frequent Aſſemblies moſt of them here knew how deſireous he has been for Improveing thoſe oppertunities for his Maj^{ties} & this Countrys Service, and that he is now Concerned at the occaſion on account of an act of Parliament to Say that he did Deſolve This Gen^{ll} Aſſembly and this Generall Aſſembly is Deſolved.

Cop *E. Jenings* Dep^{ty} Sec^{y}

255 256

AT A

GENERALL ASSEMBLY

began at *James City* the twenty Seventh day of *Aprill* 1699. And in the Eleventh year of the Reigne of our Soveraigne Lord *William* by the Grace of God of *England Scotland, France* & *Ireland* King Defender of the ffaith &ca

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1411, pp. 66-159.]

At a Generall Aſſembly began at *James City* the twenty Seventh day of *Aprill* 1699. And in the Eleventh year of the Reigne of our Soveraigne Lord *William* by the Grace of God of *England Scotland, France* & *Ireland* King Defender of the ffaith &ca

---

[*Aprill* the 27th 1699.]

Preſent

HIS Excellency *ffrancis Nicholſon* Eſqr his Majtyes Leivt and Governour Genll of this his Majties Colony and Dominion of *Virginia, Richd Lee, Wm Byrd, Edwd Hill, Edmd Jenings, Richd Johnſon, John Lightfoot, Math: Page, Benja Harriſon* Eſqrs

His Excellency haveing been pleaſed by his Comiſon under the Seale of the Colony to Conſtitute, *Benjamin Harriſon* of the County of *James City* Clerke of the Genll Aſſembly, he did Accordingly take the Oaths Appointed by Act of Parliament to be taken inſtead of the Oaths of Supremacy and Allegiance and Subſcribed the Teſt and the Aſſociation appointed by Act of Parliament and did take the Oath of Clerke of the Genll Aſſembly and was Ordered to Attend Accordingly.

Ordered that the Clerke of the Genll Aſſembly doe goe to all Such of the Gentlemen of the Houſe of Burgeſſes as are in Town and Coñand their Imediate Attendance upon his Excellency and the Councill in the Great Hall; which (by reaſon that the State houſe by an vnhappy Accident was lately burnt down) is the place Appointed for his Excellency & the Councill to Sitt, in during This Generall Aſſembly.

The Gentlemen of the Houſe of Burgeſſes Attend his Excellency and the Councill in the Great Hall, And His Excellency was pleaſed to Acquaint them, that Since the State Houſe of this His Majeſty's Colony and Dominion was lately by an vnhappy Accident burnt down, He, by and with the Advice of the Councill had Cauſed a Houſe to be fitted up for the Gentlemen, of the Houſe of Burgeſſes to ſett in, dureing this Generall Aſſembly, And that he had Comiſonated ſome Gentlemen of the Councill to Adminiſter the Oaths, Teſt and Aſſociation unto them who would Show them the place they were to ſitt in, but if they Knew of any better and more Convenient Place in all reſpects for their Reception, His Excellency was well Satisfyed they ſhould Make Choice of it.

His Excellency was alſo pleaſed to Acquaint the Gentlemen, That he had Comiſonated *William Randolph* Gentleman to be their Clerke who would Attend them Accordingly And that he had Appointed the Gentlemen of the Councill to Adminiſter the Oaths Teſt and Aſſociation to him.

The Councill Adjourn'd till to Morrow Morning ten of the Clock.

Friday Aprill the 28th 1699;

Preſent

HIS Excellency, *Richd Lee, Wm Byrd, Edwd Hill, Edmd Jenings, Richd Johnſon, John Lightfoot, Math: Page, Benja Harriſon* Eſqrs

A Meſſage from the Burgeſſes by Coll *Ludwell*, who Acquaints His Excellency that the Burgeſſes were in the place Appointed for them to ſit in and that there was a full Houſe and did waite His Excellency's Coñands.

Ordered,

Ordered. That the Clerke of the Gen[ll] Aſſembly doe goe to the Houſe of Burgeſſes and Coñand their Imediate Attendance upon his Excellency in Councill in the Great Hall,

The Gentlemen of the Houſe of Burgeſſes being come into the Great Hall, His Excell[cy] was pleaſed to Expreſs his Coñands to them in this Manner

Gentlemen.

I am Glad to ſee ſoe very great an Appearance and of perſons ſoe well Qualifyed in all Reſpects for the Service both of His Maj[ty] and of this His Colony & Dominion and that you have ſoe many Natives of your own Country Capable of ſerving their Country all that I ſhall recomend to you at preſent is that you repair to your Houſe and Make Choice of yor Speaker, and then I Shall Coñunicate to you the Severall Matters of Import for his Maj[tys] & this Country's Service for which you are Convened at this Time.

The Councill Adjourned till the Afternoon.

Poſt Meridiem

THE Houſe of Burgeſſes not haveing yet made Choice of their Speaker, The Councill Adjourned till to Morrow Morning ten of the Clock.

Saterday Aprill the 29th 1699

Preſent

HIS Excellency, *Rich[d] Lee, W[m] Byrd, Edw[d] Hill, Edm[d] Jenings, Rich[d] Johnſon, John Lightfoot, Math: Page, Benj[a] Harriſon* Eſq[rs]

His Excell[cy] haveing Yeſterday Coñanded the Houſe of Burgeſſes to make Choice of a Speaker, which they not haveing yet proceeded to doe, for as much therefore as it is very Chargeable to the Country that the Gen[ll] Aſſembly ſhould Continue long and noe buiſneſs for the ſervice of his Maj[ty] or the Country can be Entred vpon untill a Speaker of the Houſe of Burgeſſes be Choſen.

Ordered. That the Clerk of the Generall Aſſembly doe goe to the Houſe of Burgeſſes with this following Meſſage

Gentlemen.

His Excellency and the Councill have for theſe Two dayes Expected that you would make Choice of a Speaker, which you not haveing yet done, I am Coñanded by his Excellency in Councill to acquaint you that it is for the ſervice of his Majeſty and this Government that you doe forthwith proceed to make Choice of a Speaker, Therefore his Excellency Coñands you in his Maj[ties] Name that you doe not any more depart from your Houſe till you have made Such Choice,

---

Poſt Meredíem.

A MESSAGE from the Houſe of Burgeſſes by m[r] *Leigh* who Acquaints his Excellency thãt in Obedience to his Coñands they put the Queſtion in the Houſe between two Gentlemen of their Houſe who ſtood Candidates for Speaker, and the votes were Equall being twenty on Each ſide, And this afternoon they had again put the Same Queſtion and were Equally devided as before, therefore they could not Choſe a Speaker till the reſt of the Members of their Houſe came to Town.

Ordered that the Clerk of the Generall Aſſembly doe goe to the Houſe of Burgeſſes and Coñand their Imediate Attendance upon his Excellency in Councill in the Great Hall.

The

The Burgeſſes Attending, his Excellency was pleaſed to Expreſs himſelf in Manner following.

Gentlemen

I am Sorry you have Spent ſoe much time and Cannot agree vpon a Speaker, but Since it hath ſoe happened, I deſire your Company on *Monday* Next at the Colledge of *William* and *Mary* in *Virginia*, and recomẽnd it to you to Adjourne Accordingly

The Councill Adjourned till *Tueſday* Morning ten of the Clock.

Tueſday May the 2^{d} 1699

Preſent

HIS Excellency, *Richd Lee*, *Wm Bird*, *Edwd Hill*, *Edm^{d} Jenings*, *Richd Johnſon*, *John Lightfoot*, *Math: Page*, *Benj^{a} Harriſon* Eſq^{rs}

A Meſſage from the Burgeſſes by m^{r} *Cary*.

May it pleaſe yor Excellency.

I am Comanded by the Houſe of Burgeſſes to Acquaint yor Excellency that they have proceeded to the Choice of a Speaker and they pray that yor Excellency will be pleaſed to Appoint a time when they ſhall preſent him.

Ordered That the Clerk of the Gen^{ll} Aſſembly doe goe to the Houſe of Burgeſſes & Comand their Imediate Attendance vpon his Excell^{cy} in Councill in the Great Hall.

The Burgeſſes Attend his Excellency and Preſent *Robert Carter* of the County of *Lancaſter* Eſq^{r} as their Speaker who is Approved and Confirmed by his Excellency.

Then m^{r} *Speaker* in behalf of the Houſe of Burgeſſes and of all the Comonalty of *virginia* did pray that they might Injoy their Ancient Priviledges of ffree Acceſs to his Excellency at ſuch times as he ſhould be pleaſed to Appoint, freedome of Debate in their Houſe, and the Priviledge of the Members, their Servants & Goods being free from Arreſts; which were all Granted.

Then his Excell^{cy} was pleaſed to make the ffollowing Speech.

Honourable Gentlemen.

Before I ſpeake . . . . . [See J. of H. of B., p. 135.]

The Councill Adjourned till to Morrow Morning ten of the Clock

---

Wedneſday May ye 3^{d} 1699

Preſent

HIS Excellency, *Richd Lee*, *Edwd Hill*, *Richd Johnſon*, *John Lightfoot*, *Mathew Page*, *Benj^{a} Harriſon* Eſq^{rs}

A Meſſage from the Burgeſſes by m^{r} *Cary* &c^{a}

May it pleaſe yor Excellency.

We waite vpon yor Excell^{cy} by Comand of the Houſe of Burgeſſes, to pray that yor Excell^{cy} will pleaſe to favour them with a Copy of yor Speech to them—at the Opening this Seſſion of the Gen^{ll} Aſſembly.

Ordered

That the Clerk of the Gen^{ll} Aſſembly doe Carry a Coppy of his Excell^{cys} Speech to the Houſe of Burgeſſes.

The Councill Adjourned till to Morrow Morning ten of the Clock

---

Thurſday May ye 4th 1699

Preſent

HIS Excellency, *Richd Lee*, *Wm Byrd*, *Edwd Hill*, *Richd Johnſon*, *Char: Scarburgh*, *John Lightfoot*, *Math: Page*, *Benj^{a} Harriſon* Eſq^{rs}

The Grievances of the Inhabitants of the vpper parts of *Yorke* County being read,

Ordered

That the Conſideracon thereof be refferred to the Houſe of Burgeſſes.

The

The Peticon of Some of the Inhabitants of *Wilmington* and *Walingford* pariſhes being read, repreſenting the inconvenient Scituacon & Deviſion of their pariſhes, & praying that they may be taken into *James City* pariſh.

Ordered That the Conſideracon of the Said Peticon be referred to the Houſe of Burgeſſes and that it be recomended to them to Conſider of and Provide for the more Convenient and Equall Regulacon & Deviſion of the Other Countyes & Pariſhes within this Dominion.

A Meſſage from the Burgeſſes by Capt *Duke*

May it pleaſe yor Excellcy

I am Comanded by the Houſe of Burgeſſes to pray yor Excellcy that a New writt may Iſſue for the Elecon of a Burgeſs for *Henrico* County inſtead of Capt *Wm Randolph* the Preſent Clerk of our Houſe.

A Meſſage from the Burgeſſes by mr *Corbin*.

May it pleaſe yor Excellcy

I am Comanded by the Houſe of Burgeſſes to pray yor Excellcy that a New Writt may Iſſue for the Elecon of a Burgeſs for *Stafford* County inſtead of mr *John Waugh*.

A Comittee to Conſider & Setle the Diſputes and Controverſies concerning Claimes & Titles to Lands in *Pamunky* Neck and on the South ſide of the *Black Water* Swamp *Richd Lee, Willm Byrd & Char: Scarburgh* Eſqrs

Ordered—That the Clerke of the Generall Aſſembly doe Carry the following Meſſage in writing to the Houſe of Burgeſſes.

Whereas Severall Controverſies . . . . . [See J. of H. of B., p. 143.]

A Meſſage from the Burgeſſes by mr *Robinſon*

May it pleaſe yor Excellcy

I am Comanded by the Houſe of Burgeſſes to pray yor Excellcy that a New Writt may Iſſue for the Elecon of a Burgeſs for *Nanſemund* County inſtead of mr *Thomas Godwin* who was unduely returned.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Friday ye 5th of *May* 1699.

Preſent

HIS Excellcy, *Richard Lee, William Byrd, Edward Hill, Richd Johnſon, Charles Scarburgh, John Lightfoot, Benja Harriſon* Eſqrs

A Meſſage from the Burgeſſes by mr *Buckner*

May it pleaſe yor Excellcy

I am Comanded by the Houſe of Burgeſſes to waite vpon yor Excellency to returne their humble thanks for yor laſt Meſſage to them concerning the Settlement of Titles to lands in *Pamunky* neck and on the South ſide of the *black water* Swamp, to Acquaint yor Excellcy that they have Appointed Six Members of their Houſe, not concerned in Intereſt to be joyned with the Comittee of the Councill for the ſetling of thoſe Titles.

The Councill Adjourned till *Monday* Morning ten of the Clock.

Monday May the 8th 1699

Preſent

HIS Excellency, *Edmond Jenings, Richard Johnſon, Charles Scarburgh, John Lightfoot* Eſqrs

The Peticon of the Inhabitants of *Norfolk* County being read and thô it doth not Appear to be preſented in the County Court According to Law, Yet Neverthleſs the Conſideracon thereof is referred to the Houſe of Burgeſſes, And it is alſo recomended to them to propoſe Some Effectuall Methods to prevent practices of the like Nature, for the future.

The

The Grievances of the Inhabitants of *Charles City* County read & Referred to the Conſideracõn of the Houſe of Burgeſſes.

The Petiẽon of Sundry the Inhabitants of *Norfolk* County read & referred to the Conſideracõn of the Houſe of Burgeſſes.

Ordered.

That the Clerk of the Genᵗˡ Aſſembly doe Carry all papers Concerning the Rangers, Indians & their trade to the Houſe of Burgeſſes.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Tueſday May yᵉ 9ᵗʰ 1699.

Preſent

HIS Excellᶜʸ, *William Byrd, Edwᵈ Hill, Edmond Jenings, Richᵈ Johnſon, Cha: Scarburgh, Jnº Lightfoot, Math Page, Benjᵃ Harriſon* Eſqʳᵉ

The Petiẽon of *Dionifius Wright* praying to be Admitted Clerk to the Joynt Coñittee of the Councill & Burgeſſes Appointed to Conſider, and Settle the Diſputes and Controverſies concerning Claimes and Titles to land in *Pamunky* neck & on the South ſide of *Black water* Swamp was read, and the ſaid *Wright* being Eſteemed a Capable perſon for that Service the ſaid Petiẽon is referred to the Burgeſſes for their Approbacõn of him.

Ordered That the Complaints of the Queen of *Pamunky* and the ſeverall other Nations of Indians be referred to the Conſideracõn of the Coñittee Appointed to Conſider and Settle the Diſputes and Controverſies Concerning Claimes & Titles to land in *Pamunky* Neck & on the South ſide of the *blackwater* Swamp and that they doe report their Opinion therevpon.

The Councill Adjourned till to Morrow Morning ten of the Clock

---

Wedn'sday May yᵉ 10ᵗʰ 1699.

Preſent

HIS Excellency, *Richᵈ Lee, Wᵐ Byrd, Edwᵈ Hill, Edmᵈ Jenings, Richᵈ Johnſon, Cha: Scarburgh, John Lightfoot, Math: Page, Benjᵃ Harriſon* Eſqʳᵉ

Whereas there are many Matters now lying and hereafter to be laid before the Houſe of Burgeſſes which are of great Moment, and likely to take vp a great deale of time, His Excellᶜʸ propoſed the Recoñending the Reviſeall of the Lawes to the Houſe of Burgeſſes, which Reviſeall would Anſwer the Intent of many things now laid before them, and the Other buiſneſs which is of Abſolute Neceſſity to be done at this time may be diſpatched in a Short time.

Reſolved That It is the Opinion of this board that it is for the Service of his Majᵗʸ and the Intereſt of this his Antient and great Colony & Dominion that his Excellᶜʸ doe recomend the Reviſeall of the Lawes to the Houſe of Burgeſſes and that a Coñittee of the Councill be Appointed to Joyne with A Convenient Number of the Houſe of Burgeſſes to Conſider and Agree vpon the moſt proper Methods to Reviſe the Laws, dureing the Intervalls between the Seſſions.

A Coñittee to Conſider of the moſt proper Methods for Reviſeing the Lawes.

Edwᵈ Hill Richᵈ Johnſon Benjamin Harriſon Edmᵈ Jenings Math. Page Eſqʳᵉ

Ordered that the Clerke of the Genᵗˡ Aſſembly doe goe to the Houſe of Burgeſſes, And Coñand their Imediate Attendance vpon his Excellᶜʸ in Councill in the Great Hall,

Mʳ *Speaker* and the Houſe of Burgeſſes being come into the Great Hall, His Excellᶜʸ was pleaſed to make the following Speech to them

Mʳ Speaker *& Gentlemen of the Houſe of Burgeſſes*

There are already . . . . . [See J. of H. of B., p. 153.]

The Councill Adjourned till ten of the Clock to morrow Morning.

Thurſday

Thurſday May ye 11th 1699

Preſent

HIS Excellency, *Richd Lee, Willm Byrd, Edwd Hill, Edmd Jenings, Richd Johnſon, Cha: Scarburgh, John Lightfoot, Math: Page, Benjo Harriſon* Eſqrs

The Severall Peticons of *Peter Beverly* and *Robert Beverly*, repreſenting their Services in Methodizeing the papers & Records belonging to the Aſſembly, Genll Court & Secretary's Office and lodging of them in their Reſpective offices after they had been diſordered by the burning of the Statehouſe, And praying that they may be conſidered for their Said Services were Read, and the Conſideracon thereof referred to the Houſe of Burgeſſes.

The Peticon of *Chichly Corbin Thacker*, Clerke of the Secretaryes Office, Setting forth the Number of New writts Iſſued for the Elections of Burgeſſes and praying allowance for the Same According to law, read & referred to the Houſe of Burgeſſes.

The peticon of *Thomas Davis*, praying Allowance for the bringing ſeverall Indians & their Interpreter over *James* River, read and referred to the Conſideracon of the Houſe of Burgeſſes.

The Peticon of *John Tullit* Setting forth the Charge he hath been at in fitting up the Houſe for the Burgeſſes to Sit in, purſuant to an Order of his Excellcy in Councill, and praying an Allowance for the Same, read & referred to the Conſideracon of the Houſe of Burgeſſes.

The Peticon of *George Ivie* & others, for the Repeale of the Act of Aſſembly, Againſt *Engliſh* people's Marrying with Negroes Indians or Mullattoes, read, & referred to the Conſideracon of the houſe of Burgeſſes.

The Peticon of *Robert Beverly* Setting forth that he being late Clerke of the Secretaryes Office did Iſſue ſeverall Comicons of *Oyer* and *Terminer* for the Tryalls of Negro Criminalls purſuant to a late Act of Aſſembly, for which he had never been paid & praying Allowance for the Same, Read & Referred to the Conſideracon of the Houſe of Burgeſſes.

Whereas by Order of Councill dated *October* the 21th 1698, it was directed that *Peter Beverly & Robert Beverly* ſhould liſt the Records & Papers belonging to the Aſſembly, Secretaryes Office, & Generall Court, and lodge them in their Severall Offices & returne an Account of their proceedings therein, which they haveing performed & laid their Claime for that Service before this preſent Genll Aſſembly.

Reſolved. That it be recomended to the Gentlemen of the Houſe of Burgeſſes to Appoint a Comittee to inſpect the ſaid Offices and view the Said Records & Papers and Examine the Said Account of them, returned as afforeſaid.

A Meſſage from the Burgeſſes to the Councill by mr *Leigh*, who acquaints their Honour's that the Burgeſſes had under their Conſideracon the Grievances of *Stafford* County and Other papers relateing to the Indians, and ꝑticularly to the Murders and Other Crimes comitted by the Indian called Squire *Tom*, and finding the Same to be of great Conſequence to this His Majeſty's Governmt, they thought it not Convenient to proceed therein without a Conference with their Honours, therefore they deſire them to agree to a Conference with the Burgeſſes, vpon the Subject Matter of this Meſſage, & that they will be pleaſed to Appoint the time and Place for holding the Said Conference.

The Councill Adjourned till ten of the Clock to Morrow Morning.

Friday May ye 12th 1699

Preſent

HIS Excellency, *Richd Lee, William Byrd, Edwd Hill, Edmond Jenings, Richd Johnſon, Char: Scarburgh, John Lightfoot, Math: Page, Benjo Harriſon* Eſqrs

Whereas the Comittee Appointed to Conſider & ſettle the Claimes & Titles to lands in *Pamunky* neck and on the ſouth ſide of the *black water* Swamp, doe report that the Queen of *Pamunky* hath Complained that ſeverall *Engliſh* have Encroached vpon the Libertyes of her people, Contrary to the Articles of Peace, and

and Severall Orders of the Genll Court, And *whereas* the ſaid Coñittee doe requeſt his Excellency that an Expreſs be diſpatched to Cauſe two or three of the great men, of the *Pamunky* Indians and their Interpreter to Attend them as Soon as poſſible, to produce the ſaid Articles of Peace & Orders of Court wherevpon they ground their Complaint.— Therefore *Ordered.* That a Warrant be prepared requireing mr *Robert Peaſely* the Indian Interpreter in *New Kent* County to Cauſe three of the great men of the *Pamunky* Indians with all poſſible Expedition to repair to *James Citty* to proſecute their Said Complaint, and alſo that he the ſaid *Peaſeley* ſhould Appear with them,

Reſolved That According to the Meſſage from the Burgeſſes of Yeſterday a Conference be Agreed to vpon the Subject Matter of the ſaid Meſſage, and that the ſaid Conference be held imediatly in the Great Hall, and Accordingly,

Ordered That the Clerk of the Generall Aſſembly doe goe to the Burgeſſes and Acquaint them, that the Members of the Councill Appointed to manage the Said Conference are ready to Confer with them in the Great Hall,

Richd Lee, William Byrd & Benjamin Harriſon Eſqr are Appointed to Manage the ſaid Conference.

A Meſſage from the Burgeſſes by mr *Leigh*, that they had Appointed a Coñittee of ten Members of their Houſe to be Joyned with the Coñittee of the Councill Appointed to Conſider the moſt proper Methods for Reviſeing the Lawes, and that they were Ready to meet for that purpoſe at Such time and Place as the Councill ſhould appoint,

Ordered. That the Clerke of the Generall Aſſembly doe goe to the Burgeſſes & Acquaint them that the Councill, have Appointed *Tueſday* next in the Roome over the Great Hall for the Meeting of the Coñittee to Conſider of the moſt proper Methods for Reviſeing the Laws

A Meſſage from the Burgeſſes by mr *Cary* who preſents to his Excellcy the following Addreſs.

May it pleaſe yor Excellcy

Wee his Majtyes . . . . . [See J. of H. of B., pp. 161-2.]

Informacon being given to his Excellcy and the Councill, that the Burgeſſes had Adjourned till *Monday* next.

The Councill Adjourned till twelve of the Clock on *Monday* Next.

Monday May the 15th 1699

Preſent

HIS Excellcy, *Richd Lee, William Byrd, Edwd Hill, Charles Scarburgh, John Lightfoot, Mathew Page* Eſqrs

The reſt of the Gentlemen of the Councill not being yet come to Town & Nothing being Offerred from the Houſe of Burgeſſes.

The Councill Adjourned till to Morrow morning ten of the Clock.

Tueſday May the 16th 1699

Preſent

HIS Excellcy, *Edwd Hill, Edmd Jenings, John Lightfoot, Mathew Page, Benja Harriſon* Eſqrs

Whereas Richard Johnſon Eſqr is Appointed one of the Coñittee to Conſider of the moſt proper Methods, for Reviſeing the Lawes and at preſent he is not in Town Therefore.

Ordered That *John Lightfoot* Eſqr be Added to the ſaid Coñittee inſtead of the Said *Johnſon*, untill he ſhall come to Towne,

Preſent

Richd Lee, Wm Byrd, Charles Scarburgh Eſqrs

The peticon of *William Broadrib & Edward Travis*, Church Wardens of *James City* pariſh, pray that the Genll Aſſembly would Contribute towards the paying for the Steeple

Steeple of their Church, and towards the Repairing of the Church Road, and the Conſideration thereof referred to the Houſe of Burgeſſes.

Richard Lee Eſq^r^ from the Conference with the Burgeſſes had repreſented the great damage that the *Engliſh* had Sufferred by the Indian Called Squire *Tom*, and that he is harboured by the *Piſcatoway* Indians therefore they deſired that the Councill will propoſe ſome method to bring the ſaid Indian to Juſtice for the Severall Crimes whereof he is Guilty.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Wedn'sday May ye 17th 1699.

Preſent

HIS Excellency, *Richd Lee, Wm Byrd, Edwd Hill, Edm^d^ Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a^ Harriſon* Eſq^rs^

The Giveing an Anſwer to the Burgeſſes vpon the Subject Matter of the laſt Conference, with them, is referred for further Conſideration.

Then the Councill tooke into their Conſideracõn the Appointing of Certaine of their Members to be joyned with a Coñittee of the Burgeſſes for the Reviſeall of the Lawes, wherevpon *Richard Lee* Eſq^r^ deſired that he might be Excuſed from Attending vpon that Service, by reaſon that his habitation is ſoe very far diſtant from *James City*, and over two great Rivers;—and *Charles Scarburgh* Eſq^r^ alſo deſired to be Excuſed for that (his habitacõn lying on the Eaſtſide of the Great bay of *Chiſopeake*) he could not poſſibly Attend, And for as much as *William Byrd* Eſq^r^ is his Maj^tyes^ Auditor Gen^ll^ of the Revenues, and *Edmond Jenings* Eſq^r^ hath at preſent the Charge of the Secretary's Office, and therefore they will be Obleiged to Attend thoſe Severall Offices and cannot well be vpon the ſaid Reviſeall, they are alſo Excuſed from that Service; the Members Appointed for the Said Coñittee are *Edwd Hill* Eſq^r^ *Mathew Page* Eſq^r^ & *Benj^a^ Harriſon* Eſq^r^

The Councill Adjourned till to Morrow Morning ten of the Clock.

Thurſday May ye 18th 1699.

Preſent

HIS Excell^cy^, *Richd Lee, Wm Byrd, Edwd Hill, Edm^d^ Jenings, Cha: Scarburgh, John Lightfoot, Math. Page, Benj^a^ Harriſon* Eſq^rs^

His Excell^cy^ laid before the Councill the Anſwer he Intended to make in Writeing to the Addreſs of the Houſe of Burgeſſes which they had preſented to him; which (Anſwer) was read in theſe words.

*M^r^* Speaker *& Gentlemen of the Houſe of Burgeſſes.*

From ſome of the . . . . . [See J. of H. of B., pp. 166-7.]

A Meſſage from the Burgeſſes by m^r^ *Cuſtis* to the Councill, who Acquaints their Honours that vpon debate their houſe had reſolved that the ſtate houſe be built at the Middle plantacõn to which they deſire their Honours Concurrence.

Edward Hill Eſq^r^ from the Coñittee to Conſider of the moſt proper Methods for Reviſeing the Lawes Reports that they had come to Certain Reſolucõns, which were read, and Ordered that they lye upon the Table.

An Engroſſed bill from the Burgeſſes Intituled a Bill for the more Effectuall ſuppreſſing, of Blaſphemy, Swearing Curſing Drunkeñeſs and Sabbath breaking, was by m^r^ *Taylor* brought to the Councill for their Honours Concurrence.

Ordered That the Said Bill be read the firſt time tomorrow Morning.

An Engroſſed Bill from the Burgeſſes Intituled a Bill for Prevention of Undue Elections of Burgeſſes was by m^r^ *Taylor* brought to the Councill for their Concurrence.

Ordered that the ſaid Bill ſhall be read the firſt time to morrow Morning.

The Councill Adjourned till ten of the Clock to morrow morning.—

Friday

Friday May ye 19th 1699.

Preſent

RICH^D^ LEE, Edwd Hill, Edm^d^ Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a^ Harriſon Eſq^rs^

An Engroſſed bill from the Burgeſſes Intituled a bill for the more Effectuall Suppreſſing of Blaſphemy, Swearing Curſeing Drunkeñeſs and Sabbath breaking, read the firſt time, & Ordered a Second reading.

An Engroſſed bill from the Burgeſſes Intituled a bill for prevention of undue Elecc̃ons of Burgeſſes, read the firſt time, and Ordered a Second reading,

The Councill haveing taken into their Conſideracõn the laſt written Meſſage from the Burgeſſes, Acquainting their Honours that the Houſe upon debate had reſolved that the Statehouſe be built at the Middle plantacõn, to which they deſired their Honours Concurrence,

Reſolved

Nemine Contradicente that the Councill doe Concurr with the ſaid Reſolucõn Of the Burgeſſes & Accordingly

Ordered

That the Clerk of the Generall Aſſembly doe goe to the Houſe of Burgeſſes and Acquaint them therewith.

The Councill Adjourned till ten of the Clock to Morrow Morning—

Saterday May ye 20th 1699

Preſent

RICH^D^ LEE, Edwd Hill, Edm^d^ Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a^ Harriſon Eſq^rs^

An Engroſſed bill from the Burgeſſes Intituled A bill for the more Effectuall Suppreſſing of Blaſphemy Swearing, Curſeing Drunkeñeſs & Sabbath breakeing, read the Second time, & Comitted for Amendm^ts^ to *Richd Lee* and *Charles Scarburgh* Eſq^rs^

An Engroſſed bill from the Burgeſſes Intituled a bill for Prevention of Undue Elections Of Burgeſſes read the Second time, and Comitted for Amendments to *Richd Lee & Charles Scarburgh* Eſq^rs^

The Councill Adjourned till *Monday* Morning ten of the Clock.

Monday May ye 22th 1699.

Preſent

RICH^D^ LEE, Edwd Hill, Edm^d^ Jenings, Cha: Scarburgh, Math: Page, Benj^a^ Harriſon Eſq^rs^

An Engroſſed bill from the Burgeſſes by m^r^ *Wilſon*, A bill for Reſtraining & Puniſhing Pirats and Privateers, read the firſt time, and Ordered a Second reading.—

An Engroſſed bill from the Burgeſſes by m^r^ *Wilſon*, Intituled, a bill prohibitting the Exportacõn of Corne, Wheat, Meal or Biſcuit till the twenty fifth day of *December* 1700, read the firſt time, and Ordered a Second reading.

An Engroſſed bill from the Burgeſſes by m^r^ *Wilſon*, Intituled, a bill to prevent the Diſcontinuance of Courts & proceſs, read the firſt time, & Ordered a Second reading

An Engroſſed bill from the Burgeſſes by m^r^ *Wilſon*, Intituled, a bill prohibitting the Vnſeaſonable Killing of Deer, read the firſt time, and Ordered a Second reading

An Engroſſed bill from the Burgeſſes by m^r^ *Wilſon*, Intituled, a bill for Regulateing of Juries, read the firſt time, & Ordered a Second reading,

An

An Engroſſed bill from the Burgeſſes by mr *Wilſon*, Intituled, a Bill for the Puniſhment of Slaves for the firſt and Second Offence of Hog-ſtealing, read the firſt time, & Ordered a Second reading;

An Engroſſed bill from the Burgeſſes by mr *Wilſon*, Intituled a Bill reſtraining the Strikeing & Killing of Whales, read the firſt time, and Ordered a Second reading—

An Engroſſed bill from the Burgeſſes by mr *Wilſon*, Intituled a bill for Aſcertaining the rate & value money ſhall paſs at, Read the firſt time, & Ordered a Second Reading.

The Councill Adjourned till *Wedneſday* Morning at ten of the Clock.

Wednſday May ye 24th 1699

Preſent

RICHD LEE, Wm Byrd, Edwd Hill, Edmd Jenings, Char. Scarburgh, John Lightfoot, Math: Page, Benja Harriſon Eſqrs

A Meſſage from the Burgeſſes by mr *Taylor*

May it pleaſe yor Honours

The Burgeſſes haveing reſolved vpon a place for the building of the Statehouſe, & your Honours haveing Concurred with them therein, I am Comanded to Acquaint you that they deſire a Conference with your Honours, to Conſider of a Modell for the Statehouſe, and what quantity of land will Neceſſarily be required for that purpoſe, and alſo what will be the moſt proper Methods of Carrying on the Said building, And if it may Stand with Your Honours Conveniency they deſire you will pleaſe to Conferr with them herevpon, this Afternoon, or as Soon as yor Other Affairs will permitt.

Reſolved.

That an Imediate Conference be held with the Burgeſſes in the Great Hall vpon the Subject Matter of the laſt Meſſage,

Managers Appointed for the Said Conference, *Richard Lee*, *William Byrd*, *Charles Scarburgh* Eſqrs And Accordingly

Ordered

That the Clerk of the Generall Aſſembly doe goe to the Houſe of Burgeſſes, and Acquaint them that the Councill (according to their deſire) doe Agree to an Imediate Conference with them in the Great Hall;

Richard Lee Eſqr from the Comittee to whom an Engroſſed bill, from the Burgeſſes Intituled a bill, ffor the more Effectuall Suppreſſing of Blaſphemy, Swearing Curſing Drunkeneſs and Sabbath breaking was Comitted for Amendments, Reports Severall Amendmts by them made to the ſaid Bill, which were Agreed to by the Councill, And the bill being read the third Time with the Amendments.

Reſolved

That the Said Bill with the Amendments is Agreed to by the Councill and Accordingly,

Ordered

That the Clerke of the Genll Aſſembly doe Carry the Said Bill and the Amendments, to the Burgeſſes and Acquaint them, that the Councill have Agreed thereto with Amendments.

Richard Lee Eſqr from the Comittee to whom an Engroſſed bill from the Burgeſſes Entituled a bill, for prevention of Undue Elecc̃ons of Burgeſſes, was Comitted for Amendments, Reports Severall Amendmts by them made to the ſaid Bill which were read & Agreed to by the Councill. and The bill being read the third time with the Amendments

Reſolved That the ſaid Bill is by the Councill Agreed to, with the Amendmts and Accordingly

Ordered

That the Clerk of the Generall Aſſembly doe Carry the ſaid Bill and the Amendments to the Houſe of Burgeſſes, and Acquaint them, that the Councill have Agreed thereto with the ſaid Amendments.

An

An Engroſſed bill from the Burgeſſes, Intituled, a bill for Reſtraining and Puniſhing Pyratts & Privateers, read the Second time, and Ordered a third Reading.

An Engroſſed bill from the Burgeſſes—Intituled, a Bill prohibitting the Exportacon of Corne, Wheat, Meale, or Biſcuit, till the 25th day of *December* 1700, read the Second time & Comitted for Amendmts to *Richd Lee* & *William Byrd* Eſqrs

An Engroſſed bill from the Burgeſſes, Intituled, a bill to prevent the Diſcontinuance of Courts and proceſs, read the Second time & Ordered a Third Reading.

An Engroſſed bill from the Burgeſſes, Intituled, a bill prohibitting the Vnſeaſonable Killing of deer, read the Second. & Comitted for Amendments to *Charles Scarburgh* and *Benjamin Harriſon* Eſqrs

An Engroſſed bill from the Burgeſſes, Intituled, a bill for Regulateing of Juryes, read the Second time, & Comitted for Amendments to *Charles Scarburgh* & *Benja Harriſon* Eſqrs

An Engroſſed bill from the Burgeſſes, Intituled, a bill for the Puniſhment of Slaves for the firſt & Second Offence of Hog ſtealing, read the ſecond time & Comitted for Amendments, to *Edwd Hill* & *Mathew Page* Eſqrs

An Engroſſed bill from the Burgeſſes, Intituled, a bill reſtraining the Striking & Killing of Whales, read the Second time, and Comitted for Amendments, to *Richd Lee* & *Edward Hill* Eſqrs

An Engroſſed bill from the Burgeſſes, Intituled, a bill for the Aſſcertaining the Rate & value money ſhall paſs at, read the Second time, & Comitted for Amendments, to *Richd Lee*, *William Byrd* & *Mathew Page* Eſqrs

The Councill Adjourned till tomorrow Morning ten of the Clock

---

Thurſday May ye 25th 1699

Preſent

RICHARD LEE, William Byrd, Edwd Hill, Edmd Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benja Harriſon Eſqrs

A Meſſage from the Burgeſſes by mr *Leigh* who brought up two Engroſſed bills whereto the Councill had Agreed with Amendmts Intituled as followeth.

A Bill for the more Effectuall Suppreſſing of Blaſphemy Swearing, Curſeing, Drunkeneſs and Sabbath breaking;

A bill for prevention of undue Elecc̃ons of Burgeſſes.

And Acquaints their Honours that the Houſe of Burgeſſes had agreed to Severall of their Honours Amendmts to the Said Bills, and had Amended them Accordingly, but to Some Others of their Honours Amendments, the Houſe could not Agree; therefore they prayed their Honours Concurrence to the ſaid Bills as they are Amended

The Councill Adjourned till to morrow morning ten of the Clock.

Friday May ye 26th 1699

Preſent

RICHD LEE, William Byrd, Edwd Hill, Edmd Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benja Harriſon Eſqrs

The Councill Entered upon the debate of the Amendments made by the Burgeſſes unto two Engroſſed Bills, which they did Yeſterday Send up to the Councill, with ſeverall Raſures and Interlineations in the ſaid Bills, in thoſe places thereof where the Councill had propoſed Some Amendments thereto, and Other of the Amendments to the ſaid Bill propoſed by their Honours were Altered & Some Intirely diſagreed to by the Burgeſſes, Which ſaid Raſures, Amendments, and Interlineations being made (after the ſaid bill had paſſed the Houſe of Burgeſſes) & without the Aſſent And Agreement of the Councill. Therefore.

Reſolved

That a Conference be deſired with the Burgeſſes, upon the Subject Matter of the Said Amendments, and the manner of makeing the Same, and Accordingly.

Ordered,

Ordered. That the Clerk of the Gen[ll] Aſſembly doe goe to the Houſe of Burgeſſes and deſire a Conference therevpon.

Managers Appointed for the ſaid Conference, *Edward Hill, Edmond Jenings, Mathew Page Benjamin Harriſon* Eſq[rs]

Richard Lee Eſq[r] from the Coñittee appointed to Amend an Engroſſed bill from the Burgeſſes, Intituled, A bill reſtraining Striking and Killing of Whales, Reports Severall Amendm[ts] by them made to the ſaid Bill, which were read, and the ſaid Bill being read the third time,

Reſolved

That the ſaid Bill is not Agreed to, By the Councill, they being of Opinion that it doth to nearly Encroach upon his Moſt Sacred Majeſtyes Royall prerogative. But foraſmuch as the Killing of Whales within the Capes of this His Majeſtys Colony and Dominion, is by the Houſe of Burgeſſes thought, to be prejudiciall to the Inhabitants thereof. Therefore,

Ordered, That the Clerke of the Generall Aſſembly doe goe to the Houſe of Burgeſſes, & Acquaint them that the Councill are ready to Joyne in An Addreſs to his Excellency for Reſtraining thereof, when Ever they ſhall be deſired ſoe to doe by the Burgeſſes.

An Engroſſed bill from the Burgeſſes, Entituled, a bill for Reſtraining & puniſhing Pyrats & Privateers, read the third time, and Some Amendments being made thereto by the Councill.

Reſolved That the ſaid Bill is Agreed to, with Amendments, And Accordingly.

Ordered.

That the Clerk of the Generall Aſſembly doe Carry the Said Bill & the Amendments to the Houſe of Burgeſſes, and Acquaint them that the Councill have Agreed to the ſaid bill with the ſaid Amendments.

An Engroſſed bill from the Burgeſſes Intituled a bill to prevent the diſcontinuance of Courts & Proceſs, read the third time, and Some Amendments [made] thereto by the Councill—

Reſolved

That the ſaid bill is Agreed to with Amendments, & Accordingly

Ordered

That the Clerke of the Generall Aſſembly doe Carry the ſaid Bill and the Amendments to the Houſe of Burgeſſes and Acquaint them that the Councill have Agreed to the ſaid Bill, with the ſaid Amendments.

Edward Hill Eſq[r] from the Coñittee to whom an Engroſſed bill from the Burgeſſes, Intituled, a bill for the puniſhment of Slaves for the firſt and Second Offence of Hog ſtealing, was Coñitted for Amendments, Reports Severall Amendments by them made to the ſaid Bill which were read & Agreed to by the Councill and the ſaid Bill, being read the third time with the Amendments.

Reſolved That the ſaid Bill is Agreed to by the Councill with the Amendments and Accordingly

Ordered That the Clerk of the Gen[ll] Aſſembly doe Carry the ſaid Bill with the Amendments to the Houſe of Burgeſſes and Acquaint them that the Councill have Agreed Thereto,

Charles Scarburgh Eſq[r], from the Coñittee to whome an Engroſſed Bill from the Burgeſſes, Intituled, a bill for Regulateing of Juryes, was Coñitted for Amendments, Reports Severall Amendments by them made to the ſaid Bill, which were read and Agreed to by the Councill, and the ſaid bill with the Amendments being read the third time.

Reſolved That the ſaid Bill be Agreed to with the Amendments and Accordingly

Ordered That the Clerk of the Gen[ll] Aſſembly doe Carry the ſaid Bill with the Amendm[ts] to the Houſe of Burgeſſes and Acquaint them that the Councill have Agreed thereto.

Charles

Charles Scarburgh Eſqr from the Comittee to whome an Engroſſed bill from the Burgeſſes, Intituled, a Bill prohibitting the vnſeaſonable Killing of Deer was Comitted for Amendments, Reports ſeverall amendments by them made to the ſaid Bill which were Read and Agreed to by the Councill, And the Said Bill with the Amendments being read the third time,

Reſolved That the ſaid Bill be Agreed to with the Amendments, and Accordingly

Ordered That the Clerk of the Genll Aſſembly doe Carry the ſaid Bill with the Amendments to the Houſe of Burgeſſes and Acquaint them that the Councill have Agreed thereto,

A Meſſage from the Burgeſſes by mr *Wilſon* who Acquaints their Honours that According to their deſire the Houſe had Agreed to a Conference, and had Appointed Eight of their Members to Manage the Said Conference and deſires their Honours will be pleaſed to Appoint the time and Place for their Meeting, who Appointed Six of the Clock this Afternoon in the great Hall.

The Councill Adjourned till to Morrow Morning ten of the Clock.

Saterday May ye 27th 1699

Preſent

HIS Excellency, *Richd Lee, William Byrd, Edwd Hill, Edmond Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benja Harriſon* Eſqrs

Mr *Humphry Higinſon's* Propoſition of the Manufature of Linnen, Cotton &ca is referred to the Conſideracon of the Houſe of Burgeſſes.

The Councill Adjourned till Tueſday Morning ten of the Clock.

Tueſday May the 30th 1699.

Preſent

RICHD LEE, Willm Byrd, Edwd Hill, Edmond Jenings, Cha: Scarburgh, John Lightfoot, Math Page, Benja Harriſon Eſqrs

A Meſſage from the Burgeſſes by mr *Cary* who brought up two Engroſſed bills, whereto the Councill had Agreed, With ſeverall Amendments, Intituled,

A Bill for the more Effectuall Suppreſſing of Blaſphemy, Swearing Curſeing Drunkenneſs and Sabbath breakeing,

A Bill for Prevention of Undue Elections of Burgeſſes

and Acquaints their Honours that the Burgeſſes had Agreed to ſeverall of their Amendments, and to Others of the ſaid Amendments they could not Agree, Therefore they pray their Honours Concurrence to the ſaid Bill as it now is Agreed to, by the Burgeſſes without any further Amendments.

Reſolved That the Councill doe not Inſiſt upon their Other Amendmts

Reſolved, That the Bill do paſs as it is now Agreed to by the Burgeſſes, without any further Amendments,

A Meſſage from the Burgeſſes by mr *Cary* who brought up ſeverall Engroſſed Bills from the Burgeſſes, which they had Agreed to, and deſired their Honours Concurrence (*vizt*)

An Act for laying an Impoſicon vpon Servants & Slaves Imported into this Country towards the building the Capitoll.

An Act for leſſening the Levy by the Poll and laying an Impoſicon upon Liquors for and towards the building of a Capitoll and Other Publick Vſes.

An Act Appointing a Treaſurer.

An Act Appointing a Comittee for the Reviſeall of the whole body of the Laws in this His Majeſty's Colony & Dominion

An Act for Confirming Titles to Town Lands.

All which bills were read the firſt time and Ordered a Second reading.

The Councill Adjourned till to morrow morning ten of the Clock.

Wedn'sday

Wedn'sday May ye 31th 1699

Preſent

RICH^D^ LEE, Edwd Hill, Edm^d^ Jenings, Charles Scarburgh, John Lightfoot, Mathew Page, Benj^a^ Harriſon Eſq^rs^

An Engroſſed bill from the Burgeſſes, Intituled, *An Act for laying an Impoſicon vpon Servants & Slaves imported into this Country towards building the Capitoll*, read the Second time, and Ordered to lye vpon the Table for a third Reading

An Engroſſed Bill from the Burgeſſes, Intituled, *An Act for leſſening the Levy By the poll and laying an Impoſicon vpon Liquors for and Towards the Building a Capitoll and Other publick Vſes*, read the Second time, and Ordered to lye upon the Table for a Third Reading.

An Engroſſed Bill from the Burgeſſes, Intituled, *an Act Appointing a Treaſurer*, read the Second time, and Ordered to lye upon the Table for a Third Reading;

An Engroſſed bill from the Burgeſſes, Intituled, *an Act Appointing a Comittee for the Reviſeall of the whole body of the Lawes in this His Majeſty's Colony and Dominion*, was read the ſecond time, and Ordered a third reading.

An Engroſſed bill from the Burgeſſes, Intituled, *An Act for Confirming Titles to Town Lands*, was read the ſecond, time & Ordered a Third Reading;

A Meſſage from the Burgeſſes by m^r^ *Maſon* who brought vp the booke of Claimes, and deſired their Honours Concurrence thereto.

The Councill Adjourned till To morrow Morning ten of the Clock.

Thurſday June ye 1^ſt^ 1699

Preſent

HIS Excellency, *Richd Lee, William Byrd, Edwd Hill, Edm^d^ Jenings, Cha: Scarburgh, John Lightfoot, Mathew Page, Benj^a^ Harriſon* Eſq^rs^

The Booke of Publick Claimes Sent from the Houſe of Burgeſſes, read over, and Agreed to with an Amendment

Ordered

That the Clerke of the Gen^ll^ Aſſembly doe Carry the ſaid Book of Claimes, to the Houſe of Burgeſſes, and Acquaint them that the Councill have Agreed thereto with an Amendment, to which, their Honours deſire the Concurrence of the Houſe.

Richard Lee Eſq^r^ from the Comittee to whome an Engroſſed bill from the Burgeſſes, Entituled, a Bill prohibitting the Exportacõn of Corne, Wheat, Meale or Biſcuit till the 25th day of *December* 1700, was Comitted for Amendments, Reported ſeverall Amendments by them made to the Said Bill, which were read, and Agreed to by the Councill, and the ſaid Bill with the Amendments being read the third Time;

Reſolved That the ſaid Bill & Amendments be Agreed to,

Ordered, That the Clerk of the Gen^ll^ Aſſembly, doe Carry the Bill and the Amendments to the Burgeſſes and deſire their Concurrence thereunto,

Richd Lee Eſq^r^ from the Comittee to whom an Engroſſed bill from the Burgeſſes, Intituled, a bill for Aſcertaining the rate and Value money ſhall paſs at, was Comitted for Amendments, Reported certain Amendments by them made to the ſaid Bill, which were Read,

And the Councill Entered upon the Conſideracõn and debate of the ſaid Bill, the Subject Matter whereof being of very great Importance to this His Majeſtys Colony & Dominion, & the Aſcertaining the Standard and Value of Coin in all Nations & Country's being alwayes Eſteemed as the greateſt and moſt Intricate Difficultyes of their States & Governments, and Requireing the moſt deliberate Conſideracõn and the beſt Advice & Aſſiſtance that can poſſibly be procured, therefore they Are of Opinion that it may be better and more Advantageouſly performed by the Comittee Appointed for the Reviſeall of the Lawes, whereupon;

Reſolved That the ſaid bill is not Agreed to;

Reſolved

Refolved That an Inſtrucc̃on be given to the Com̃ittee Appointed for the Reviſeall of the Lawes, that they Conſider of the Safeſt, beſt, and moſt Expedient, Advantageous, & Equall wayes, and Means for the Makeing of money more Currant and paſſable in this His Majeſty's Colony and Dominion, and prepare a bill Accordingly

Ordered

That the Clerk of the Gen^{ll} Aſſembly, doe goe to the Houſe of Burgeſſes, and Com̃and their Imediate Attendance vpon his Excellency in Councill in the Great Hall.

The Burgeſſes being come into the Great Hall His Excell^{cy} delivered to the Speaker, Some of his Majeſtyes Royall Inſtrucc̃ons to him, relateing to the Collectors & Navall Officers and the Trade of this his Maj$^{ty's}$ Colony & Dominion, And Since by the Said Inſtrucc̃ons his Maj^{ty} had been pleaſed to Com̃and him to put thoſe Different Offices into the Charge of Severall perſons which before were uſually Com̃itted to me, He recom̃ended it to the Houſe of Burgeſſes, that they would Aſcertain Such reaſonable ffees as they ſhall think Neceſſary to be taken by the Said Officers, and that they prepare a bill to paſs this Seſſion Accordingly.

Then His Excell^{cy} was pleaſed to Expreſs himſelf as followeth.

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

From Some of the worthy . . . . . [See J. of H. of B., p. 190.]

A Meſſage from the Burgeſſes by Mr *Cary* that they pray his Excellency will be pleaſed to Signify his Com̃ands, relateing to the buiſneſs of *Nanſemund*, unto them in Writeing.

Ordered

That the Clerke of the Gen^{ll} Aſſembly doe Carry to the Burgeſſes a True Copy of his Excell^{cys} Speech to them relateing to the Buiſneſs of *Nanſemund*.

The Councill Adjourned till to Morrow Morning Ten of the Clock.

Friday June ye 2^{d} 1699

Preſent

HIS Excellency, *Richd Lee, Wm Byrd, Edwd Hill, Edm^{d} Jenings, Cha: Scarburgh, John Lightfoot, Math Page, Benj^{a} Harriſon* Eſq^{rs}

An Engroſſed bill from the Burgeſſes Intituled *An Act Appointing A Com̃ittee for the Reviſeall of the whole body of the Laws in this his Maj$^{ty's}$ Colony & Dominion*, was read the third time, and Some Amendments made thereto by the Councill.

Refolved

That the Said Bill with the Amendments be Agreed to,

An Engroſſed bill from the Burgeſſes, Intituled, *An Act for Confirmeing Titles to Town lands*, was read the Third time, and Severall Amendments made thereto by the Councill;

Refolved

That the ſaid Bill with the Amendments is Agreed to,

A Meſſage in Writeing by m^{r} *Cary* from the Houſe of Burgeſſes, to his Excell^{cy} as followeth

May it pleaſe yor Excell^{cy}

Yo^{r} Excell^{cy} haveing been pleaſed . . . . . [See J. of H. of B., p. 190.]

Ordered

That the Clerk of the Gen^{ll} Aſſembly doe Carry the following bills to the Houſe of Burgeſſes, and Acquaint them that the Councill have Agreed to the Same, with Some Amendments, to which Amendments their Honours deſire their Concurrence to Witt.

An Act Appointing a Com̃ittee for the Reviſeall of the whole body of the Lawes in this his Maj$^{tie's}$ Colony & Dominion,

An Act for Confirmeing Titles to Town lands.

Rich^{d}

Richd *Lee* Eſq^{r} from the Coñittee Appointed to Conſider & Settle the Diſputes & Controverſies Concerning Claimes & Titles to Lands in *Pamunky* Neck, and on the Southſide of the *Black water* Swamp, Reported Severall Reſolucons that the Said Coñittee had Agreed upon, which were read, & Agreed to by the Councill and,

Ordered

That the Clerke of the Gen^{ll} Aſſembly doe Carry the Said report to the Houſe of Burgeſſes & deſire their Concurrence thereunto.

The Councill Entred into Debate vpon the Subject Matter of the Conferrence with the Burgeſſes, concerning Severall Offences & Crimes, Coñitted by the Indian Called Squire *Tom*, and foraſmuch as it is not Certainly known where the Said Indian is to be found, or whether he is within this Governm^{t} or not; And by the Informacon of the perſons Appointed to goe to the *Piſcatoway* Indians to Inquire for the ſaid Indian *Tom*, it appears that the ſaid *Piſcatoway* Indians are Setled in an Iſland in *Potomeck* River, About Seventy Miles above any *Engliſh* Inhabitants, and by the Informacon of Such perſons as Inhabitt and are moſt Knowing & beſt Acquainted with the Affairs of that part of the Country, It is Manifeſt that the Iſlands in *Potowmeck* are reputed to belong to the Province of *Maryland*, therefore the Councill are of Opinion, that it is not Convenient to ſend to the *Piſcatoway* Indians to demand the Said Indian *Tom*, (eſpecially Since it is not certainly Apparent that he is harboured by them), but foraſmuch as it is of great Import to the peace & Quiet of this his Majeſty's Government that the ſaid Indian be brought to Condigne puniſhment for thoſe Notorious Crimes whereof he is Guilty

Reſolved

That it is for the Service of his Maj^{ty} & of this his Colony & Dominion that a proclamacon requireing all perſons whatſoever to apprehend the ſaid Indian *Tom*, if he ſhall at any time be found within this Government, and the better to Encourage all perſons to doe their duty herein, that a Reward of ten pound *Ster.* be given unto any ſuch perſon or perſons Chriſtians or Heathens as Shall Apprehend the Said Indian *Tom*, and bring him or Cauſe him to be brought before any of his Maj^{ties} Juſtices of the peace in this his Colony and Dominion that he may be proceeded againſt According to Law and,

Ordered

That a proclamacon be prepared Accordingly

Reſolved

That it is for the Service of his Maj^{ty} & of this his Colony and Dominion, that Intimacon of the Notorious Crimes Coñitted by the ſaid Indian *Tom*, be given to his Majeſtyes Capt Generall and Govern^{r} in Cheife of his Province of *Maryland*, and that he be requeſted and deſired to take Such Lawfull Methods, as to him ſhall be thought requiſite for the Apprehending of the Said Indian *Tom*, if he is or Shall be within that Government and if he ſhall be found there, that he may be delivered up to the Governm^{t} of this His Maj^{ties} Colony & Dominion, in Order to his being brought to Juſtice, and Puniſhed According to the Demerits of his Crimes.

A Meſſage from the Burgeſſes by m^{r} *Maſon* that they had agreed to the Amendments propoſed by the Councill to the book of publick Claimes and to the following bills to Witt.

An Act appointing a Coñittee for the Reviſeall of the whole body of the Lawes in this his Majeſtyes Colony and Dominion,

An Act Confirmeing Titles to Town lands, and that they have amended them Accordingly.

His Excell^{cy} haveing received an Addreſs from the Burgeſſes by m^{r} *Cuſtis* was pleaſed to Coñunicate the Same to the Councill which is in theſe words

To His Excell^{cy} Francis Nicholſon *Eſq^{r} his Majeſtyes L^{t} & Govern^{r} Gen^{ll} of* Virginia

The humble Addreſs of the Houſe of Burgeſſes

May it pleaſe yor Excell^{cy}

Wee His Maj^{tyes} moſt Loyall . . . . . [See J. of H. of B., pp. 186-189.]

The Councill Adjourned till to Morrow Morning ten of the Clock.

Saturday

Saturday June ye 3d 1699

Preſent

RICHARD LEE, *William Byrd, Edward Hill, Edmd Jenings, Cha: Scarburgh, Math: Page, Benja Harriſon* Eſqrs

A Meſſage from the Burgeſſes by Mr *Wilſon* that they had Agreed to an Engroſſed Bill Intituled *An Act for Confirmeing titles to Town Lands*—with the Amendments thereto propoſed by the Councill

The Councill Adjourned till *Monday* Morning ten of the Clock.

Monday June ye 5th 1699.

Preſent

HIS Excellency, *Richd Lee, Willm Byrd, Edwd Hill, Cha: Scarburgh, Math: Page, Benja Harriſon* Eſqrs

His Excellcy was pleaſed to Comunicate to the Councill an Addreſs he had received from the Houſe of Burgeſſes by Mr *Leigh* which was read in theſe Words to Witt.

To his Excellcy Francis Nicholſon *Eſqr his Majties Leiut & Governr Genll of* Virginia.

May it pleaſe yor Excellcy

The Houſe of Burgeſſes . . . . . [See J. of H. of B., p. 193.]

Whereupon *Ordered*, That mr *Attorney Generall* doe proſecute the Said Majr *Thomas Godwin* & *Andrew Roſs* as the Law directs

---

Poſt Merediem.

PRESENT as afore & *John Lightfoot* Eſqr

A Meſſage from the Burgeſſes by mr *Harriſon* that they doe Concurr with the Councill, in their Agreeing to the Report of the Comittee, Appointed to Conſider & Settle diſputes & Controverſies concerning Claimes & Titles to Lands in *Pamunky* Neck and on the South ſide of *black water* Swamp.

The Councill Adjourned till to morrow Morning ten of the Clock.

Tueſday June ye 6th 1699.

Preſent

HIS Excellency, *Richd Lee, Edwd Hill, Cha: Scarburgh, John Lightfoot, Math: Page, Benja Harriſon* Eſqrs

A Meſſage from the Burgeſſes by mr *Cuſtis* that they had agreed upon an Addreſs to his Excellcy for reſtraining the Striking and Killing of whales within the Capes of *Virginia* to which they deſired their Honours Concurrence which being read, & Some Amendments being propoſed thereto, that the Same may be diſpatched with the greater Expedition

Ordered that the Clerk of the Genll Aſſembly doe goe to the Houſe of Burgeſſes and deſire them to Appoint two of their Members to be joyned with one of the Councill to prepare the ſaid addreſs—*Charles Scarburgh* Eſqr is Accordingly Appointed to be Joyned with the Said Two Members of the Houſe of Burgeſſes to Agree upon the Said Addreſs.

A Meſſage from the Burgeſſes by Coll *Ludwell* that they had Agreed to the following bills whereto they deſired their Honours Concurrence (to Wit)

An Act directing the building the Capitoll and the City of Williamſburgh &c

An Act Aſcertaining Collectors and Navall Officers fees.

An Act for raiſing a Publick Levy which Said Bills were Read the firſt time, and Ordered a Second reading.

A Meſſage from the Burgeſſes by Coll. *Ludwell*, that they had Agreed to the proportions of the publick Claimes to wch they deſired their Honours Concurrence wch proportions being read were Agreed to by the Councill

An Engroſſed bill from the Burgeſſes Intituled, *an Act for leſſening the Levy by the Poll and laying an Impoſicon vpon Liquors for and towards the building the Capitoll, and Other Publick, vſes* was read the third time, and *Reſolved*

That the ſaid bill doe paſs.

Ordered that the Clerk of the Gen^ll^ Aſſembly doe Carry the Said Bill to the Burgeſſes and Acquaint them that the Council have Agreed thereto.

An Engroſſed bill from the Burgeſſes Intituled, *an Act Appointing a Treaſurer*, being read, and Some Amendments made thereto by the Councill the Bill with the Amendments was read the third time and—

Reſolved

That the Bill with the Amendments doe paſs.

Ordered that the Clerk of the Gen^ll^ Aſſembly, doe Carry the bill with the Amendments to the Houſe of Burgeſſes & Acquaint them that the Councill have Agreed thereto with the Said Amendments whereto their Honours deſire their Concurrence.

Ordered.

That the Clerk of the Generall Aſſembly doe goe to the Houſe of Burgeſſes and Comand their Imediate Attendance upon his Excellency in Councill in the Great Hall.

And Accordingly the Burgeſſes Attend his Excellency in Councill who recomends to them the Raiſeing more money than they have Already done, and propoſes to them that a Greater Impoſicon may be laid vpon Servants and Slaves than what they have already agreed vpon. And Aſſures them that whatſoever money they raiſe, it Shall be truly Applyed to the uſes whereto it Shall be Appropriated; His Excell^cy^ alſo recomends to them to draw Such bonds as are proper to be Entred into by the Treaſurer, & Receiver of the *Virginia* dutyes, purſuant to the Acts made this preſent Seſſion for thoſe purpoſes.

An Engroſſed bill from the Burgeſſes Intituled, *an Act for laying an Impoſicon vpon Servants & Slaves imported into this Country towards Building the Capitoll*, was read, and Some Amendm^ts^ made thereto, by the Councill, the bill was read the third time with the Amendm^ts^ and

Reſolved

That the Bill doe paſs.

Ordered

That the Clerk of the Generall Aſſembly doe Carry the Bill with the Amendments to the Houſe of Burgeſſes, and Acquaint them that the Councill have Agreed thereto, with the ſaid Amendments, whereto their Honours deſire their Concurrence.

An Engroſſed bill from the Burgeſſes—Intituled, *an Act directing the building the Capitoll and the City of Williamſburgh* was read the Second time & Ordered to be read the third time,

An Engroſſed bill from the Burgeſſes, Intituled, *An Act Aſcertaining Collectors and Navall Officers ffees*, was read the Second time,—and Ordered to be read the third time

The Councill Adjourned till to—Morrow Morning ten of the Clock—

Wedneſday June ye 7th 1698 [1699]

Preſent

HIS Excellency, *Richd Lee, Edwd Hill, Edm^d^ Jenings, Char: Scarburgh, John Lightfoot, Math. Page, Benj^a^ Harriſon* Eſq^rs^

A Meſſage from the Burgeſſes by m^r^ *Leigh* That they had Agreed to an Engroſſed bill Intituled, *an Act for laying an Impoſicon upon Servants & Slaves Imported into this Country, towards the building the Capitoll*, with the Amendments, thereto, propoſed by the Councill and had Amended the bill Accordingly.

A

A Meſſage from the Burgeſſes by mr *Leigh* that they had Agreed to an Engroſſed bill, Intituled *an Act Appointing a Treaſurer*, with all the Councills Amendments only in the Clauſe propoſed by the Councill to be Added to the Said bill. the Burgeſſes had made Some Amendmts—whereto they deſired their Honours Concurrence; then the Bill & the Amendments together with the Amendments propoſed by the Burgeſſes—were read & agreed to, and

Ordered that the Clerke of the Genll Aſſembly doe Carry the ſaid Bill with the Amendments to the Burgeſſes & Acquaint them that they had Agreed thereto with the Amendmts as the Burgeſſes propoſed.

Ordered That it be given as an Inſtrucc̃on to the Com̃ittee Appointed to Reviſe the whole body of the Laws that they Conſider of the moſt proper Method of prepareing and Iſſueing Com̃icons for the Officers of the Militia and all Other Officers, & of the moſt Equall way to defray the Charge thereof—

An Engroſſed bill from the Burgeſſes Intituled *an Act directing the building the Capitoll and the City of* Williamſburgh *&c*a being read and Some Amendments made thereto by the Councill the bill with the Amendments was read the third time and,

Reſolved, that the Bill with the Amendmts doe paſs.

Ordered, That the Clerk of the Generall Aſſembly doe Carry the ſaid Bill with the Amendments to the Houſe of Burgeſſes and Acquaint them that the Councill, have Agreed thereto with the Said Amendments, whereto their Honours deſire their Concurrence.

An Engroſſed bill from the Burgeſſes Intituled, *An Act Aſcertaining Collectors & Navall Officers ffees*, was read the third time, and

Reſolved

That the Bill doe paſs.

Ordered, That the Clerk of the Genll Aſſembly doe Carry the ſaid bill to the Burgeſſes & Acquaint them that their Honours have agreed thereto without any Amendments.

An Engroſſed bill from the Burgeſſes Intituled *an Act for Raiſing a Publick Levy* was read the third time &—

Reſolved

That the Bill doe paſs

Ordered That the Clerk of the Generall Aſſembly doe Carry the ſaid Bill to the Burgeſſes and Acquaint them that their Honours have Agreed thereto, without any Amendment.

Ordered That the Clerk of the Generall Aſſembly doe lay before the Houſe of Burgeſſes, the proceedings of the Councill, upon an Engroſſed bill, Intituled a Bill for Aſcertaining the Rate and value of money ſhall paſs at.

William Byrd Eſqr Preſent

The Houſe of Burgeſſes haveing Agreed vpon Orders for the paymt of Severall Sum̃es of money due from the Publick, laid the Same before the Councill, which were Accordingly read & Agreed to by the Councill.

Ordered: That the Clerk of the Genll Aſſembly doe Carry the ſaid Orders to the Houſe of Burgeſſes, & Acquaint them the Councill have Agreed thereto

A Meſſage to his Excellency from the Burgeſſes by Mr *Cary* that they had prepared an humble Addreſs to his Majeſty, and deſired to Know when they might waite vpon his Excellency to preſent the Same to him, that it may be laid before his Majeſty Wherevpon his Excellency Appointed this Afternoon After Evening Prayers

---

Poſt Merediem

ACCORDING to his Excellencyes Appointmt this day, mr *Speaker* & the Houſe of Burgeſſes waited upon his Excellency in Councill, and preſented an Humble Addreſs to his Majeſty which they had prepared, and prayed that his Excellcy would be pleaſed to vſe his Intereſt that the Same might be laid before his moſt Sacred Majeſty.

A Meſſage from the Burgeſſes by Mr *Buckner* that [they] had Agreed to an Engroſſed bill, Intituled, *an Act directing the building the Capitoll & the City of* Williamsburgh &c^a with the Amendm^te thereto propoſed by their Honours and had Amended the Bill Accordingly.

The Councill Adjourned Till to Morrow Morning ten of the Clock.

Thurſday June the 8th 1699.

Preſent

HIS Excellency, *Richard Lee, William Byrd, Edwd Hill, Edm^d Jenings, Cha: Scarburgh, John Lightfoot, Math: Page, Benj^a Harriſon* Eſq^rs

A Meſſage to his Excell^cy from the Burgeſſes by m^r *Cary* that they had diſpatched Everything that had been recomended to them by his Excell^cy this Seſſion, that at preſent they had Nothing lying before them to be proceeded upon, and therefore they Waited his Excellencyes further Comands.—

Ordered That the Clerk of the Generall Aſſembly doe goe to the Houſe of Burgeſſes and Comand their Imediate Attendance upon his Excellency in Councill in the Great Hall, and that they bring with them All Such Bills as have been Agreed upon this Seſſion.

Accordingly m^r *Speaker* and the Houſe of Burgeſſes being come into the Great Hall, His Excellency cauſed the New Seale which his Maj^ty had been pleaſed to beſtow upon this his Colony and Dominion of *Virginia* to be produced & publicacon was made of the Order for vſeing the Same in all the publick Affairs of the Governm^t and that the Other Seale ſhould be broken or defaced, And his Excellency in the preſence of the Councill & Burgeſſes Affixed the ſaid new Seale to a proclamacon, which they had agreed to Appointing a Solemn day of thankſgiveing to Almighty God for his great Mercy and bleſſings beſtowed upon his Majeſty's Sacred & Royall perſon & vpon this his Colony and Dominion.

Then His Excellency gave his Aſſent to the ffollowing Bills to Witt:

An Act for the more Effectuall Suppreſſing of Blaſphemy, Swearing, Curſeing, Drunkeñeſs & Sabbath breaking.

An Act for Prevention of Undue Elecc̃ons of Burgeſſes.

An Act to prevent the Diſcontinuance of Courts & proceſs.

An Act for Regulateing of Juries.

An Act for Reſtraining & Puniſhing of of Pyratts & Privateers

An Act for the Puniſhment of Slaves for the firſt & Second Offence of Hogſtealing.

An Act Appointing a Comittee for the Reviſeall of the whole body of the Lawes of this his Majeſty's Colony and Dominion.

An Act prohibitting the Exportacon of Indian Corne till the 25th of December *1700.*

An Act for Confirming titles to Town Lands.

An Act for Leſſning the Levy by the Poll and laying an Impoſicon upon Liquors for and Towards the building a Capitoll and Other publick uſes.

An Act Aſcertaining Collectors and Navall Officers ffees.

An Act directing the building the Capitoll, and the City of Williamſburgh &c^a

An Act Appointing a Treaſurer.

An Act for Raiſeing a publick Levy.

Then His Excellency was pleaſed to prorogue this Generall Aſſembly till the 9th day of *November* Next.

Examinat: et Concord cum Original
Teſt: Benjã: Harriſon, Cl: Gen: Aſſeml:

277-278

AT A

GENER^{LL} ASSEMBLY

begun at his Maj^{ts} Roy^{ll} College of *W^{m}* & *Mary* adjoyning to ye City of *Williamſburgh* upon *Thurſday* the fifth of *Decemb^{r}* 1700 and in the twelfth year of the Reigne of our Sovereigne Lord *William* the third by the Grace of God of *England Scotland ffrance* & *Ireland* and *Virginia* King Defend^{r} of ye ffaith et^{a}

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1409, pp. 309-341.]

At a Gener^{ll} Aſſembly begun at his Maj^{ts} Roy^{ll} College of *W^{m}* & *Mary* adjoyning to ye City of *Williamſburgh* upon *Thurſday* the fifth of *Decemb^{r}* 1700 and in the twelfth year of the Reigne of our Sovereigne Lord *William* the third by the Grace of God of *England Scotland ffrance* & *Ireland* and *Virginia* King Defend^{r} of ye ffaith et^{a}

[*December* 5th 1700]

Preſent

HIS Excellency *ffrancis Nicholſon* Eſq^{r} his Maj^{te} L^{t} & Govern^{r} Gen^{ll} of this his Maj^{ts} moſt ancient & great Colony & Dominion of *Virginia—Edm^{d} Jenings*, *John Lightfoot Robt Carter* Eſq^{rs}

His Excellency haveing been pleaſed by his Comiſſion under ye Seale of ye Colony to Conſtitute *Dionifius Wright* of ye County of *James City* Clerke of ye Gener^{ll} Aſſembly, he did accordingly take ye Oaths appointed by act of Parliament to be taken inſtead of ye Oaths of allegiance & Supremacy and haveing ſubſcribed ye Aſſociation & teſt appointed by act of Parliam^{t} did take ye Oath of Clerke of ye Gener^{ll} Aſſembly and was ord^{d} to attend accordingly—

A Comiſſion Impowering *Edm^{d} Jenings* Eſq^{r} *John Lightfoot* Eſq^{r} & *Robt Carter* Eſq^{r} or any two of them to adminiſter ye Oaths Aſſociation & Teſt & ye Oath of Burgeſs to ye Gent. of ye houſe of Burgeſſes was read in ye Gen^{ll} Court houſe in ye Audience of ſeverall Burgeſſes who to ye number of thirty three were then ſworne.

His Excellency haveing by his Comiſſion und^{r} the Seale of ye Colony Conſtituted *Wm Randolph* of ye County of *Henrico* Gent. Clerke of the houſe of Burgeſſes he took ye Oaths appointed by act of parliam^{t} to be taken inſtead of ye Oaths of Allegiance and Supremacy & then haveing ſubſcribed ye Aſſociation & teſt took ye Oath of Clerke of the houſe of Burgeſſes.

the Councill adjourn'd till tomorrow morning ten of ye Clock.

Friday Decemb^{r} 6th 1700

A MESSUAGE from ye Burgeſſes by *Miles Cary* Gent: who acquainted his Excellency that the Burgeſſes were mett and waited to know his Excellencies Comands—

Ord^{d} that ye Clerke of the Gener^{ll} Aſſembly go to ye houſe of Burgeſſes & Comand their Imediate attendance upon his Excellency in Councill in his Excellencies Bed Chamber—

The Gent: of ye houſe of Burgeſſes being come into his Excellencies Bed Chamb^{r} his Ex^{cy} Comand^{d} them to Aſſemble in their houſe and to chooſe one of their members to be their Speaker—

Councill adjourn'd till to morrow morning Nine of the Clock—

Saterday

Saterday Decembr 7th

LIGHTFOOT abſent

A Meſſuage from the houſe by *Miles Cary* Gent—

May it pleaſe yor Excellency.

I am Comandd by the houſe of Burgeſſes to acquaint yor Excellency that they have proceedd to the Choice of a Speaker, and they waite to know yor Excellencyes pleaſure to appoint a time when they ſhall preſent him—

His Excellency Diſmiſt ye meſſuage wth this anſwer that he would Signify his pleaſure therein by a Meſſuage to ye houſe—

Ordd that ye Clerke of ye Genll Aſſembly go to ye houſe of Burgeſſes and acquaint them that conſidering there are at preſent but few of his Majtys Honble Councill in town. And that it is late of *Saturday* in ye afternoone that therefore he refers ye time for ye houſe to preſent their Speaker untill *monday* morning next.

Councill adjour'nd till *monday* morning ten of ye Clock—

Monday Decembr 9th 1700

Preſent

HIS Excellency, *Edmd Jenings*, *John Lightfoot*, *Robt Carter* Eſqrs

Ordd that ye Clerk of ye Genll Aſſembly go to the houſe of Burgeſſes & Comand their Imediate attendance upon his Excellency in Councill in his Excellencyes Bed Chamber—

The Burgeſſes attend his Excy & wth low obeiſance Preſent *Peter Beverley* of the County of *Glocester* Gent as their Speaker—

Peter Beverley Gent. being preſented by ye houſe of Burgeſſes as their Speaker humbly Excuſeth himſelf to his Excellency & prays—

That in Conſideration of ye great & weighty affaires that may ly under the Conſideration of ye houſe this Seſſions ye honour of ye houſe & his own perſonal diſabilities his Excellency will be pleaſed to Comand ye houſe to proceed to ye Election of ſome other for their Speaker—

His Excy anſwered that he did not doubt but yt ye houſe was very well ſatisfied wth his Sufficiency & abilities that therefore he approved the Burgeſſes Choice and Would not allow of his Excuſe.

Whereupon Mr *Speaker* humbly prayed his Excellcy that in whatſoever he ſaid his perſonal faileings thrô inadvertincy might not redound to ye prejudice of the houſe of Burgeſſes or any member thereof but might be amended—

Then Mr *Speaker* in behalf of ye houſe of Burgeſſes and of all ye Coñalty of *Virga* prayed that ye houſe might Enjoy all their ancient privilidges, have at all times when occation required, and his Excellency pleaſed to appoint free acceſs unto his Excy that ye whole houſe and Every perticular member thereof. their Servants, & eſtates might be free from arreſts and that in all their Conferences & Conſultacons in ye houſe they might Enjoy ye freedom & privilidge of Debate

Mr *Speaker* haveing endd his Oration his Excy Expreſſed himſelf to this Effect—

That he had always in his care that he granted their requeſts for acceſs to himſelf and for their Liberty & privilidge in as ample manner as they have formerly Enjoyed them that he would not in ye Leaſt indeavour to leſſen or Diminiſh them, but rather as much as in him lay to Augmt and Advance them—

Then his Excellency was pleaſed to make ye following Speech—

Gent.

I am very Sorry . . . . . [See J. of H. of B., 1695-1702, pp. 208-9.]

A Peticon preſented by *Edwd Roſs* that he might be Comiſſionated to Carry the Mace before ye Speaker was read and ye Same referred to ye Conſideration of ye houſe of Burgeſſes—

Councill adjournd till tomorrow morning nine a Clock—

Tueſday

Tueſday December 10th 1700—

Preſent

HIS Excellency—*W*m *Byrd. John Lightfoot. Edm*d *Jenings, Rob*t *Carter* Eſq*

A Meſſuage from ye houſe of Burgeſſes by *Miles Cary* Gent. who preſented his Excellcy wth the following addreſs, was read—

*To his Exc*y Fra: Nicholſon *Eſq*r *his Maj*ties *Leivt & Governr Genll of* Virga—

The humble addreſs of ye houſe of Burgeſſes

*May it pleaſe yor Exc*y

The houſe of Burgeſſes haveing . . . . . [See J. of H. of B., p. 208.]

*Ord*d yt ye Kings Lre Concerns the Marquefs *de La Muce* & ye ſettlemt of ye *ffrench* refugees dated 18 *Mar:* 1700 & ye ordr of Councill thereupon Monſr *De Saillees* Lre of ye 26: *octobr* 1700 the Ordr of Councill dated at *Weſtopher Novembr* 14: 1700 about *Saillee* the Marquiſs *de La Muce* his Lre dated ye 3: *Xbr* 1700 and the Supplication of feverll of the *ffrench* Refugees be refer'd to ye Conſideracon of ye houſe of Burgeſſes—

*Edm*d *Jenings* Eſqr his peticon praying that it may be declared how and by whom ye fifty pods of Tobo aſcertained by Law to be paid for each Comiſcon for ye militia ſhall be paid is referred to ye houſe of Burgeſſes—

*Ord*d that all papers relateing to ye apprehending & tryall of ye pyrates & his Majties Lre of ye 10th of *Novembr* 1699 & of ye 10th of *ffebry* 1699 relateing to yt ſubject & all ordrs of Councill Concerning the Same matter be with all Speed prepared in a readineſs & laid before ye houſe of Burgeſſes.

Councill adjourn'd till tomorrow morning ten of ye Clock—

Wedneſday December 11th 1700

A MESSAGE from ye houſe of Burgeſſes by *Miles Cary* Gent. who preſented his Excy with this following reſolve of ye houſe.

By the houſe of Burgeſſes.

Reſolved. That ye houſe is inclinable to proceed upon no matters but what upon Conſideration ſhall be found abſolutely neceſſary to be proceedd upon this Seſſion

Ordered.

That A Meſſuage be forthwith ſent to his Excy & ye Honble Councill to acquaint them with this Reſolve— *W*m *Randolph* Cl ho: Burg:

Ordered that ye Clerke of the Genll Aſſembly go to the houſe of Burgeſſes & acquaint them that his Excy is very well ſatisfied with ye reſolve of ye houſe *viz*t that they will proceed upon nothing this Seſſion but is abſolutely neceſſary one of wch that comes under that notion and circumſtance his Excy conceives to be ye matter concerning the *french* Refugees all wch is ordd to be laid before ye houſe and alſo to deſire ye houſe to take into their Conſideration ye proceedings of ye Comittee appointed to Reviſe ye Laws. in reſpect to ye merits of ye Claimes thereupon, and laſtly to acquaint the houſe that all ye papers relateing to ye Pyrates the Rangers in *Stafford* County & all other Claimes ſhall with all Convenient Speed be drawn out & laid before ye houſe.—

Councill adjourn'd till to morrow morning nine of ye Clock—

Thurſday Decembr 12th 1700.

Preſent

HIS Excellency—*W*m *Byrd, Edm*d *Jenings, John Lightfoot, Robert Carter* Eſqrs

*Ord*d that ye Clerke of ye Councill prepare in readineſs all ye feverll petitions propoſitions & agreviances this day read in Councill & refered to ye Conſideracon of ye houſe of Burgeſſes as alſo ye Genll Liſt of ye tithables, and untithables & ye muſter rolls of ye Severall Counties in this his Majties Colony & Dominion of *Virg*a that ye Same may be ſent to the houſe of Burgeſſes—

The Councill adjourn'd till to morrow morning ten of ye Clock—

Friday

Friday Decemb: 13th 1700

THE Clerke of the Councill haveing prepared all ye papers according to ye ordr of yeſterday *Ordered* that ye Same together wth all ye Claimes & papers belonging to ye Pyrates & to ye Rangrs in *Stafford* County be now laid before ye houſe of Burgeſſes & yt ye Clerke of ye Genll Aſſembly acquaint ye houſe that ye Originall Liſt of tithables and untithables & ye Muſter rolls of each reſpective County is to remaine here upon record in ye Secretaries office & two faire Copies thereof to be tranſmitted for *England*.

The Councill adjourn'd till *monday* mornr nine of ye Clock.

Monday Decembr 16th 1700

Preſent

HIS Excellency. *Edmd Jenings, Matt: Page, Benja Harriſon, Robt Carter* Eſqrs

Ordd that ye Clerke of ye Generll Aſſembly do go to ye houſe of Burgeſſes and Comand their Imediate attendance upon his Excy in Councill in ye Genll Court houſe—

The Burgeſſes attending his Excy was pleaſed to Expreſs himſelf thus—

Honble Gent.

I thank God . . . . . [See J. of H. of B., pp. 220-1.]

The Council adjourn'd till *Wedneſday* morning nine of ye Clock.

Wedneſday December 18th 1700—

Preſent

HIS Excellency, *Wm Byrd, Edmd Jennings, John Lightfoot, Matt: Page, Ben: Harriſon, Robt Carter*, Eſqrs

A meſſuage from ye houſe of Burgeſſes by *Wm Leigh* Gent. who preſents his Excellency wth a reſolve of ye houſe dated *Tueſday Decembr* 17th 1700 in ye following words—

Decembr 17th 1700

Reſolved

that a Meſſuage be ſent to give his Excellcy the thanks of ye houſe for ye favour of his Speech yeſterday, and ye Communicating ye Lre mentioned in ye ſd Speech

the following reſolves were then alſo preſented *vizt*

College of *Wm & Mary ſs*

By the houſe of Burgeſſes

Tueſday December 17th 1700

Reſolved.

that ye Records of this Governmt wch ſtill remaine at *James City* be with all Convenient Expedition removed from thence to ye place appointed for keeping the Secretaries office in his Majtys Royall College of *William & Mary* adjacient to ye City of *Williamſburgh* According to ye peticon of *Edmd Jenings* Eſqr Deputy Secretv made to his Excy & ye Honble Councill in yt reſpect

Reſolved

That ye records & papers belonging to this houſe & now lodged at *James City* be with all convenient Expedicon removed from thence & placed in ye Chamber appointed for ye Clerke of this houſe in his Majtys Royll College of *Wm & Mary* adjacient to ye City of *Williamſburgh*—

Ordered.

that a Meſſuage be ſent to ye Councill to deſire their Concurrence to ye reſolves of this houſe touching ye removall of ye records belonging to ye Secretys Office & to this houſe.

Teſt Wm Randolph Cl: H: Burg.

His

His Excellency and ye Councill concurr wth ye houſe in ye precedent reſolves & ye Honble *Edm^d^ Jenings* Eſq^r^ is requeſted to cauſe ye Same to be done with all convenient Speed—

Ordered

That ye Clerk of ye Gener^ll^ Aſſembly do go to the houſe of Burgeſſes and acquaint them that his Exc^y^ & his Maj^ties^ Honble Councill concurrs wth them in their reſolves of removeing ye records mentioned in ye f^d^ reſolves and that y^e^ ſame ſhall be done with all convenient expedition & placed in the places appointed for them in his Maj^ts^ Roy^ll^ College of *William* and *Mary*.

The Councill adjourn'd till *Saterday* morning ten of ye Clock—

---

*Saterday Decemb^r^* 21^ſt^ 1700

Preſent

HIS Excellency, *Wm Byrd, Edm^d^ Jenings, Jno Lightfoot, Matt: Page, Ben: Harriſon, Robt Carter*, Eſq^rs^

An Engroſſed bill from the Burgeſſes entituled a Bill makeing y^e^ *french* refugees inhabiting at y^e^ *Manakin* town & ye parts adjacent a diſtinct pariſh by themſelves exempting them from ye paym^t^ of publick and County Levy's for Seven yeares was read ye firſt time & ordered to Ly upon ye table for a Second reading—upon reading thereof

Ordered.

That ye Clerke of ye Gener^ll^ Aſſembly go to ye houſe of Burgeſſes and acquaint them that upon reading the aforef^d^ bill the Councill deſires a free Conference Immediately to be held in ye Gen^ll^ Court houſe by three of their Number to Confer with ſuch a number of that houſe as they ſhall appoint on y^e^ ſubject matter of that byll—

The Honble *Wm Byrd* Eſq^r^ *Ben: Harriſon* & *Robt Carter* Eſq^r^ are appointed to manage ye Conference upon this following ſubject that they have hitherto ſubſiſted upon ye Charity of ye people in thoſe parts, & without ſome Continuacon of ſuch Charitable act are not likely to ſubſiſt & without that ye bill now prepared can be of ſmall advantage

An Engroſſed byll from ye Burgeſſes Entituled a byll for Continuing ye act prohibiting the Exportacon of Indian Corne read ye firſt time and ord^d^ a Second reading—

The Councill adjourn'd till three of ye Clock in ye afternoon

---

Poſt Meridiem

THE Honble *Wm Byrd* Eſq^r^ *Benj: Harriſon* Eſq^r^ & *Robt Carter* Eſq^r^ being appointed to manage a Conference with ſome of ye members of ye houſe of Burgeſſes concerning an Engroſſed byll Entituled a byll makeing the *ffrench* Refugees Inhabiting at y^e^ *Manakin* towne and parts adjacent a diſtinct pariſh by themſelves and Exempting them from ye paym^t^ of publick & County Levies for Seven yeares. Report y^t^ according to order they have had a Conference in the general court houſe with Six members of the houſe of Burgeſſes upon y^e^ ſubject matter of that byll and y^t^ ye Burgeſſes will report the ſubject matter of ye Conference to ye houſe and returne their anſwer—

An Engroſſed byll from ye Burgeſſes Entituled a bill for Continuing ye act prohibiting the Exportacon of Indian Corne was read ye Second time & ordered a third reading—

The Councill adjourn'd till five a Clock

Five

Five of ye Clock

ALRE from Captn *Paſſenger* Comand^r of his Maj^ts Shipp *Shoreham* dated this *Inſtant Decemb^r* 21^ſt referred to ye houſe of Burgeſſes.

An Engroſſed byll from the Burgeſſes Entituled a bill Continuing ye act prohibiting the Exportacõn of Indian Corne was read the third time

Reſolved that the bill do paſs

Ordered

That ye Clerke of ye Gener^ll Aſſembly do Carry y^e ſaid byll to ye houſe of Burgeſſes & acquaint them that ye Councill have aſſented thereunto.

The Honble *Wm Byrd* Eſq^r *Benj. Harriſon* Eſq^r & *Robert Carter* Eſq^r do report that ye Gent of ye houſe of Burgeſſes appointed to Conferr with them Concerning ye byll for makeing the *french* Refugees inhabiting at y^e *Manakin* towne & parts adjacient a diſtinct pariſh by themſelves *et^a* reported to them that ye houſe of Burgeſſes had reſolved not to raiſe any thing upon ye publick for ye reliefe of ye aforeſ^d *french* Refugees.

The Councill adjourn'd till *Monday* morning ten of ye Clock

---

Monday Decemb^r 23: 1700

Preſent

HIS Excellency, *Wm Byrd, Edm^d Jenings, John Lightfoot, Matt: Page, Ben: Harriſon, Robt Carter*, Eſq^rs

Ordered

That ye Clerke of ye Gen^ll Aſſembly go to the houſe of Burgeſſes and Comand their Imediate attendance upon his Excellency in Councill in the Gen^ll Court houſe—

The Burgeſſes being come into ye Gen^ll Court houſe his Ex^cy was pleaſed to Expreſs himſelfe thus.

Gent.

I have made a ſtrict and diligent Enquiry into y^e ſtate and Condition of y^e *ffrench* proteſtants Refugees & find that they have no fund to Supply their wants and have ever ſince their arrivall hitherto been Supported by the Charity of Sever^ll piouſe Gent. I find their Condition ſo deplorable that without a Continuance of ſuch Charity at Leaſt till they may reap this next Cropp they muſt inevitably periſh and therefore have Cauſed a briefe to be prepared wherein I have appointed two of his Maj^ts Honble Councill to receive ſuch Charitable donations as ſhall be given for ye reliefe of ye aforeſ^d Refugees & to thoſe of ye Councill the houſe may joyne ſuch of their own members as to them ſhall ſeem meet, and when I ſee your returne upon this his Maj^ts Honble Councill will Conſider upon your bill made in behalf of y^e ſ^d Refugees & returne it—

And thereupon his Ex^cy preſented them with ye Briefe wch was in ye following words—

Virg^a ſs. To all Chriſtian people to whom theſe p̃ſents ſhall come I ffrancis Nicholſon *Eſq^r his Maj^ts L^t and Govern^r Gen^ll of* Virg^a *ſend greeting*—

whereas ſeverall *french* proteſtant refugees have lately arrived in this his Maj^ts Colony & Dominion of *Virg^a* Imported hither by the bounty & pious Charity of his Moſt Sacred Majeſty. & Concerning whom his moſt Sacred Majeſty by his moſt gracious Lre to me directed bearing date at *Kenſington* the 18th day of *March* $1\frac{699}{700}$ hath Signified his Royall will and pleaſure that all poſſible Encouragem^t ſhould be given them upon their arrivall In ord^r to their Settlem^t and whereas the right Honble y^e Lords Com̃iſſ^rs of trade & plantacõns by their Lre of *Aprill* 12th 1700 have alſo recomend^d them to my ffavourable aſſiſtance Purſuant whereunto they are now ſeated at a place called or known by ye name of y^e *Manikin* towne above ye falls of *James* river by virtue of an ord^r of

of Councill dated at *James City* ye 8th day of *Auguſt* in ye twelfth year of his Maj^ts^ reigne *annoq Dom* 1700. but for as much as y^e^ ſ^d^ refugees haveing nothing at their arrivall here wherew^th^ to ſubſiſt they have hitherto been ſupported by ye Contributacõn of ſev^ll^ pious & Charitable Gent: in thoſe parts & whereas it is manifeſt & apparent that unleſs y^e^ ſame Charitable & Chriſtian like act be Continued for their reliefe untill ſuch time as they may reap & receive the fruits of their own Labour by ye next enſuing Crop they muſt inevitably periſh for want of food—therefore I y^e^ ſaid *ffrancis Nicholſon* Eſq^r^ by and with ye advice & Conſent of his Maj^ts^ Honble Councill do hereby recomend y^e^ ſad & deplorable Condicon of ye aforeſ^d^ *french* refugees to ye Conſideracon of all pious Charitable & well diſpoſed perſons within this his Maj^ts^ Colony & Dominion of *Virg^a^* deſireing that they will Expreſs by ſupſcribcons to this breife what benevolences or gifts they in their Charity ſhall think fitt to beſtow either in mony Corne or any other thing for y^e^ ſupport & releife of thoſe our poor diſtreſſed Chriſtian brethren & I do hereby Impower & Authorize ye Honble *Wm Byrd* Eſq^r^ & *Benj^a^ Harriſon* Eſq^r^ two of his Maj^ts^ Honble Councill of ſtate of this his Maj^ts^ Colony & Dominion of *Virg^a^* to receive & diſtribute amongſt y^e^ ſ^d^ refugees ſuch & ſo many benevolences & gifts as ye reſpective benefactors ſhall be willing to beſtow for ye promoteing And forwarding of this Charitable work Given und^r^ my hand & Seale of the Colony at his Maj^ts^ Roy^ll^ College of *W^m^* & *Mary* this 23^d^ day of *December* in ye 12th year of his Maj^ts^ reigne *annoq^e^ Doñ* 1700.

A Meſſage from ye houſe of Burgeſſes by *Miles Cary* Gent who preſents his Ex^cy^ & ye Councill wth an ord^r^ of ye houſe in theſe words—

*Monday Decemb^r^* 23^d^ 1700

By ye houſe of Burgeſſes—

*Ord^d^* That a meſſage be forthw^th^ ſent to his Ex^cy^ and ye Councill to acquaint them the houſe is well ſatisfied from his Ex^cy's^ informacon of ye preſent neceſſity of y^e^ *french* refugees wth out any further Enquiry that ſever^ll^ of ye members have ſubſcribed to ye breife what they think fitt to beſtow towards their releife that ye houſe is of opinion y^t^ ye Honble perſons his Ex^cy^ has been pleaſed to impower to receive ye Donations are ſufficient & therefore they have aded no more & that ye houſe doth hope that for ye future benefitt of y^e^ ſ^d^ refugees the Councill will be pleaſed to aſſent to their byll in that behalf—

Ordered—

That ye Comittee of Claimes do Carry y^e^ ſ^d^ Meſſage.

An Engroſſed byll from ye Burgeſſes Entituled a bill makeing y^e^ *french* Refugees inhabiting at y^e^ *Mannikin* town & ye parts adjacent a diſtinct pariſh by themſelves, & exempting them from paym^t^ of publick and County Levys for Seven yeares was read ye Second time & Comitted for amendm^ts^

The Councill adjourn'd till three of ye Clocke afternoone

Poſt Meridiem

AN Engroſſed bill from ye Burgeſſes Entituled a byll makeing y^e^ *french* refugees Inhabiting at *Manikin* town & ye parts adjacient a diſtinct pariſh by themſelves *et^a^* was read & ſome amendm^ts^ made thereto by ye Councill the byll wth ye amendm^ts^ was read the third time and reſolved that ye byll with ye amendm^ts^ do paſs—

*Ord^d^* that ye Clerke of ye Gener^ll^ Aſſembly do Carry the ſ^d^ byll with ye amendm^ts^ to ye houſe of Burgeſſes & acquaint them that ye Councill have aſſented thereto with y^e^ ſ^d^ amendm^ts^ whereto their Hon^rs^ deſire their Concurrance—

The Councill adjourns till tomorrow morning Eight of ye Clock.

Tueſday

Tuesday Decembr 24th 1700

Present

HIS Excellency, *Wm Byrd, Edmd Jenings, Jno Lightfoot, Matt: Page, Benja Harrison, Robt Carter* Esqrs

A message from ye house by *Miles Cary* Gent. that they had agreed to an Engrossed bill Entituled a bill makeing the *french* refugees Inhabiting at ye *Manikin* town & ye parts adjacent a distinct parish by themselves & Exempting them from ye paymt of publick & County Levy for Seven years, with the amendmts thereto proposed by ye Councill, & had amended ye bill accordingly.

The Book of publick Claimes sent from ye house of Burgesses was read over & ordd to be laid upon ye table—

Also ye Claime due to ye Comittee appointed to revise ye Lawes, wherein severll matters being omitted & severll amendmts to be made before any further proceeding be thereupon had—

Ordered that ye Clerke of ye Generll Assembly do go to the house of Burgesses & Comand their Imediate attendance upon his Excellency in Council in ye Genll Court house—

The Burgesses attending in the Generll Court house His Excellency was pleased to Express himself thus.

Gent

I thank you . . . . . [See J. of H. of B., p. 235.]

A message to his Excy from ye whole house of Burgesses by *Wm Leigh* Gent. & others that they were preparing an humble address to his Excy & desired to know when they might waite upon his Excellency to present ye Same whereupon his Excellency appointed this afternoon in ye Genll Court house.

Post Meridiem

ACCORDING to his Excellency's appointmt this day Mr *Speaker* & ye house of Burgesses waited upon his Excellency in Councill in ye Genll Courthouse—

And presented an humble address to his Excellency wch was in ye following words—

To his Excellcy ffrancis Nicholson *Esqr his Majties Lt and Governr Genll of* Virga—

The humble address of ye house of Burgesses—

May it please yor Excellency.

Wee his Majtys . . . . . [See J. of H. of B., pp. 233-4.]

To wch his Excellency Expressed himself to this Effect—

Gent.

I thank you for yor Concurrence wth me in giveing all suitable Encouragemt to ye Marquess *De La Muce* & ye settlemt of ye *french* refugees at ye *Manikin* towne I shall *Gent*, never endeavour to Impose anything upon you yt may seem either burthensome or chargable & as to ye matter of ye Pyrates what you Gent. are pleased to attribute to my valour & Conduct I for my part shall only ascribe to yt great God who rules and Governs all sublunary actions for I am fully perswaded yt ye hand of providence was very discernable in that whole action even from the very first step to ye Last—

Gent. As to what you Say of my Exposeing my person in that action to so much danger. I must tell you, that so long as I am in this station I am ready to Expose not only my small fortunes but even my life also for ye honr of his most Sacred Majty & ye Intereſt of this his Colony & Dominion & look upon it as a duty incumbent upon mee so to doe.

Gent. As to ye matter of ye Rangers you may be well assur'd that as I & his Majties Honble Councill shall never raise any forces but upon Emergent Occasion so shall take all

all poſſible care to diſband them when once ye proſpect of ye danger or Cauſe for wch they were firſt rais'd ceaſeth— Laſtly *Gent*—As I cannot but returne you my hearty thanks for your well wiſhes in Congratulateing my recovery ſo I muſt needs joyne with you in rendring my humble thanks to that God who alone hath been ye great reſtorer of my health—

The Councill adjourned till *thurſday* morning ten of ye Clock—

---

*Thurſday Dec^br^* 26th 1700

Preſent

HIS Excellency. *Wm Byrd, Edm^d^ Jenings, Matt: Page, Ben: Harriſon, Robt Carter* Eſq^rs^

A Meſſage from ye Burgeſſes by Mr *Corbin* wherein is laid before his Excellency & ye Honble Councill that ye fort Duties of three ſeverall veſſells Ent^d^ in ye Lower diſtrict of *James* river were never paid or accounted for to ye Auditor altho ye Naval officer of y^e^ ſ^d^ diſtrict had accounted for all thoſe times y^e^ ſ^d^ veſſells are reported to be Ent^d^ to Mr *Auditor* & propoſeing to his Ex^cy^ & ye Councill that y^e^ ſ^d^ Errours may be rectified thereupon

Ordered—

that a Copy of y^e^ ſ^d^ Meſſage be delivered to Lt Coll^o^ *Wm Willſon* Navall officer of y^e^ ſ^d^ diſtrict & y^t^ he anſwer make to y^e^ ſame in writeing tomorrow morning—

A Meſſage to ye Councill from ye Burgeſſes by Mr *Miles Cary* who preſented them with this following reſolve—

*thurſday Dec^r^* 26: 1700.

By ye houſe of Burgeſſes

Reſolved.

that his Maj^t^ be preſented . . . . . [See J. of H. of B., p. 235.]

Mr *Barth: ffowler* preſented a petic̃on to ye Burgeſſes dated *Dec^r^* 24th 1700 for an allowance for his attendance ye Laſt Aſſembly & an ord^r^ of ye houſe thereupon that h^e^ ſhould be allowed for ye Same two thouſand pounds of tobacco and Cask being ſent to ye Councill for their Concurrence

Reſolved.

That y^e^ ſame is aſſented to by ye Counſell.

The Book of publick Claimes ſent from ye houſe of Burgeſſes read over & aſſented to wth ſome additions & amendments—

Ordered—

That ye Clerke of ye Gener^ll^ Aſſembly do carry y^e^ ſ^d^ book of Claimes to ye houſe of Burgeſſes & acquaint them that ye Councill have aſſented thereto with ſome additions & amendm^ts^ to wch their Hon^rs^ deſire ye Concurrence of ye houſe.

Reſolved that y^e^ ſever^ll^ reſolves of ye houſe of Burgeſſes of *Dec^r^* 20th 1700. ſent from ye Burgeſſes concerning y^e^ ſever^ll^ allowances to ye Comittee appointed to reviſe ye Lawes be aſſented to wth an amendm^t^

Ordered

That ye Clerke of ye Gener^l^ Aſſembly do Carry y^e^ ſ^d^ reſolves to ye houſe of Burgeſſes & acquaint them y^t^ ye Council have aſſented thereto wth an addition to wch their Hon^rs^ deſire the Concurrence of the houſe—

Ordered.

that ye Clerke of ye Gener^ll^ Aſſembly do Carry to the houſe of Burgeſſes ye Engroſſed byll makeing y^e^ *french* refugees Inhabiting at *Manikin* towne & parts adjacent a diſtinct pariſh of themſelves *et^a^* & acquaint them that ye Council have aſſented thereto wth ye amendm^t^

By his Excellency. *Dec^r^* 26th 1700—

Whereas the Honble *Edward Hill* Eſq^r^ who was appointed by act of aſſembly one of ye Comittee to reviſe ye Lawes is lately dead ye Honble *Edm^d^ Jenings* Eſq^r^ is appointed by his Excellency to be joyned to that Comittee in his ſtead.

By

By his Excell^cy and ye Honble Councill—

Whereas it is found y^t ye Comittee appointed by act to revise ye whole body of ye Lawes have been often obstructed therein wch is conceived to be occasioned by a sufficient number of ye memb^rs of y^t Comittee not meeting at ye time appointed for ye preventing & remedying whereof for ye future & to advance ye s^d worke with all diligence they not haveing any coorcive or determinative power of themselves, *It is proposed* by his Ex^cy & his Maj^ts Honble Councill to find out some expedient to act with a lesser number wch is thought may very well be done by an ordinance of Assembly.

Ordered

that ye Clerke of ye Gener^ll Assembly do go to ye house of Burgesses & Carry ye above propositions to be by them Considered.

A message from ye house of Burgesses by Mr *Corbin* who presents an acco^t currant of Mr *Treasur^r* wch account is assented to by his Ex^cy & ye Honble Council—

Ordered

that ye Clerke of ye Gen^ll Assembly do Carry ye s^d acco^t to ye house of Burgesses & acquaint them that his Excellency & ye Council have assented thereto

A Message from ye Burgesses by *Miles Cary* Gent who informs his Ex^cy & ye Councill y^t ye house hath agreed to ye additions & amendm^ts proposed by their Hon^rs to ye book of publick Claimes as also to ye amendm^t proposed by their Hon^rs to ye resolves of ye house concerning ye Comittee appointed to revise ye Lawes to both wch his Ex^cy & ye Honble Council assent—

Ordered.

that ye Clerke of ye Gen^ll Assembly returne ye s^d book of publick Claimes & ye aforesd Resolves to ye house of Burgesses & acquaint them therewith—

The Councill adjourns till five of ye Clock in ye afternoone—

Post Meridiem—

THE Resolve from ye house of Burgesses that his Maj^t be presented with four hund^d & twenty pounds for & towards ye paym^t of ye Charge accruing by ye Pyrates *et^a* being read ye same is assented to by the Council—

The Council being inform'd that ye house of Burgesses are adjourn'd till tomorrow morning

Ord^d that ye Clerke of ye Gener^ll Assembly return ye same to ye house of Burgesses early tomorrow morning & acquaint them that ye Council have assented thereto—

The Council adjourns till tomorrow morn^g Eight of ye Clock—

Friday Decr 27: 1700—

Present

WM BYRD, *Edm^d Jenings, Matt: Page, Ben: Harrison, Robt Carter* Esq^rs

Lt Coll^o *Wm Wilson* Navall officer of ye Lower district of *James* river this day put in his answ^r in writeing to ye report of Comittee as by ord^r of yesterday and as to ye first (*vizt*)

The Shipp *Hopewell John Nyles* Master he saith that he never rec^d any fort duties for her because she only touch't here, had only a permitt to unlode some small matter that she took nothing in & was Imediately bound up the Bay. Upon Consideration whereof It is ye opinion of ye Councill that in such Case that neither Govern^rs ffees nor fort duties ought to be paid—As to the Second (*vizt*)

The Sloop *George Joseph fforeft* Master he Saith that ye sloop was one of those who were taken by ye Pyrates, who were taken by his Maj^ts Shipp y^e *Shoreham* and that what done in relation to her was by his Ex^cy's directions In wch Case it is ye opinion of ye Council that no fort duties ought to be paid.

As

As to ye third (*vizt*)

The Sloop called the *Beavour* of *Penſilvania And^w^ Lock* Maſter he ſaith y^t^ ye reaſon of her not being accounted for was by pure miſtake & inadvertincy & not any deſigne—

Upon Conſideracõn of ye whole matter It is ye opinion of ye Council that ye third being Error he muſt account for it and make Oath that he never rec^d^ any fort duties for ye firſt nor ſecond

to wch he accordingly made Oath—

A Meſſage from ye houſe of Burgeſſes by *Wm Leigh* Gent & others who preſent his Maj^tie^ Honble Council with an addreſs to his moſt Sacred Majeſty and theirto pray their Hon^rs^ Concurrence—

Reſolved

That y^e^ ſame be aſſented to with ſome additions & amendments—

Ordered

That ye Clerke of ye Gen^ll^ Aſſembly do Carry the ſ^d^ Addreſs to ye houſe of Burgeſſes & acquaint them that ye Council have aſſented thereto with ſeverall amendm^ts^ to wch their Hon^rs^ deſire the Concurrence of ye houſe.

the Book of Publick proportions from ye houſe of Burgeſſes read & aſſented to by the Council—

*Ord^d^* that ye Clerke of the Gen^ll^ Aſſembly do returne ye book of publick proporcõns to ye houſe of Burgeſſes & acquaint them that their Hon^rs^ have aſſented thereto. As alſo to Carry to the houſe the ord^r^ of Council to Lt Coll^o^ *Geo. Maſon* to diſband the Rangers in *Stafford* County

A Bill from ye Burgeſſes Entituled a bill for ye more effectuall & ſpeedy Carrying on ye Reviſall of ye Lawes read ye firſt time & ord^d^ a Second reading

A Bill from ye Burgeſſes Entituled a bill for raiſeing a publick Levy read ye firſt time & ordered a Second reading—

The Council adjourn'd till two of ye Clock in ye afternoone—

Poſt Meridiem—

A BILL from ye Burgeſſes Entituled a bill for ye more effectuall and Speedy carrying on ye reviſ^ll^ of ye Lawes read ye Second time & Comitted for amendments.

A Bill from ye Burgeſſes Entituled a bill for raiſing a publick Levy read ye Second time & ordered a third reading.

The Councill adjourn'd till four of ye Clock

---

four of ye Clock afternoon—

A BILL from ye Burgeſſes Entituled a bill for ye more effectuall & Speedy Carrying on ye reviſall of ye Lawes read ye third time with ye amendm^ts^

Reſolved that ye bill do paſs—

A Bill from ye Burgeſſes Entituled a bill for raiſeing a publick Levy read ye third time & aſſented to without any amendment—

Ordered.

That ye Clerke of ye Gen^ll^ Aſſembly do return y^e^ ſ^d^ bills to ye houſe of Burgeſſes & acquaint them y^t^ ye Council have aſſented thereto—

A meſſage from the Burgeſſes by *Wm Leigh* Gent. & others who preſent the Councill with four Engroſſed bills (*vizt*)

An Act for continuing ye act for prohibiting ye Exportacon of Indian Corne—

*An Act makeing y^e^* french *refugees Inhabiting at y^e^* Manikin *towne & ye parts adjacent a diſtinct pariſh of themſelves & Exempting them from ye paym^t^ of publick & County Levies for Seven yeares.*

An

An Act for ye more Effectuall & Speedy Carrying on ye Revifall of ye Lawes
An Act for Raifing a Publick Levy—
Ord^d

That ye Clerke of the Gen^ll Affembly do go to ye houfe of Burgeffes and returne ye Engroffed bills to ye houfe—

A Meffage from ye houfe of Burgeffes by *Wm Leigh* Gent. & others who prefent ye Council with an Addrefs to his moft Sacred Majefty & acquaint them that ye houfe have made ye amendm^ts thereto propofed by their Hon^rs & pray that their Hon^rs will pleafe to ligne it—

the Same being read with ye amendments is Signed by the Honble *Wm Byrd* Efq^r in behalf of ye Councill & returned to the houfe

they alfo prefent to ye Honble Council ye ord^r of Council of this Inftant directed to Lt Coll^o *Geo Majon* for difbanding the Rangers in *Stafford* County & acquaint them that ye houfe is very well fatisfied therewith

An Addrefs to his moft Sacred Maj^ty being prepared was read in ye following words

To the Kings moft Excell^t Maj^ty—

Moft Dread Sovereigne.

We the Govern^r Council & . . . . . [See J. of H. of B., p. 240.]

wch being read & approved was Signed by his Excellency & ye Honble Council—

Ordered

that ye Clerke of ye Gen^ll Affembly Carry ye faid Addrefs to ye houfe of Burgeffes and defire that ye Same may be Signed by Every Individuall member each in his proper place according to their Counties—

His Excellency was pleafed to recomend it to ye Honble Council for their advice whether any thing further was neceffary to be done at prefent by ye Gen^ll Affembly or whether they fhould now Conclude ye Seffion—

Whereupon the Council are of opinion y^t Confidering the Cold and winter Seafon of ye year & ye great throng that is now by reafon of ye fhipps being arrived in ye Country that therefore it is for his Maj^ts Service & ye Intereft of this his Maj^ts Colony & Dominion that ye Gener^ll Affembly be prorogued till ye twenty fourth day of *Aprill* next—

Ordered that ye Clerke of ye Gen^ll Affembly do go to ye houfe of Burgeffes & Comand ye whole houfe Imediately to give their attendance upon his Excellency in Councill in ye Gener^ll Court houfe and alfo to Comand them to bring what bills they have agreed to & paft this Seffion to prefent them to his Excellency that they may receive all due approbation—

Mr *Speaker* and ye houfe of Burgeffes being Come into ye Gen^ll Court houfe

Mr *Speaker* in ye name of the whole houfe Expreffed himfelf thus—

May it pleafe your Excellency

We his Maj^ts moft Loyall and Dutifull fubjects the Burgeffes in obedience to yor Excellency's Comands do now attend your Ex^cy wth ye fruits of our Serious Confideracons at this Seffion Severally affented to by ye Honble members of his Maj^ts Council for this his moft ancient Colony & Dominion in ord^r to fubmit them & every of them to your Excellency's prudence & wifdom for approbation & for y^t powerfull ftamp yet wanting to give them due life Vigour & Authority to Effect ye fev^ll purpofes they are defign'd for—

We have had many Important Confideracons to Induce us to proceed upon nothing this Seffion but what abfolute neceffity required & we have great reafon to render ye higheft acknowledgm^ts to divine providence for fo favourable a Seafon even in ye heart of a winter, remarkable for it's long continuance, And that admirable warmth yefterday wherein fome of our lateft fruite ripened & came to perfection that I hope I may without Vanity Conftrue An happy Omen of ye acceptablenefs of o^r Endeav^rs to his moft Sacred Maj^ty whom God long p^rferve & to yor Excellency now recovered from your late Indifpofition & Sicknefs to ye great fatisfaction and joy of us all. A favourable acceptance we are fure cannot mifs of an advantagious Confequence to this Colony but will be a means

to

to continue his Majᵗᵉ gracious inclinations towards us & that ardent zeale wᶜʰ yoʳ Exᶜʸ dayly diſcovʳᵉ dwelling in you for yᵉ proſperity of every Individuall Inhabitant of this Government—

It is an Eaſy matter to Compile a long diſcourſe & a true one too of yoʳ Exᶜʸᵉ Bounty on all occations yoʳ Charity yoʳ piety yoʳ unwearied Endeavours for yᵉ advancemᵗ of Religion & Learning your undaunted reſolution & Conduct for our defence & Security yoʳ plaineſs & Sincerity wᵗʰ us & your great prudence & wiſdom in yᵉ diſcharge of that high and Honᵇˡᵉ truſt his Majᵗ hath been pleaſed to Comitt to you, but thoſe qualifications being ſo perſpicuous in yoʳ Exᶜʸ'ᵉ perſon no man that knows your Exᶜʸ can pᵗtend to be ignorant, And therefore I paſs to yᵉ repetition of yᵉ titles of thoſe few acts wᶜʰ I am now appointed to preſent to your Excellency.

And they are

1. *An Act for Continuing yᵉ act for prohibiting yᵉ Exportacon of Indian Corne—*
2. *An Act makeing the* french *Refugees Inhabiting at yᵉ* Manikin *town & yᵉ parts adjacent a diſtinct pariſh of themſelves & Exempting them from yᵉ paymᵗ of publick and County Levys for Seven yeares—*
3. *An Act for yᵉ more Effectuall & Speedy Carrying on yᵉ reviſall of yᵉ Lawes—*
4. *An Act for Raiſeing a Publick Levy—*

Theſe *May it pleaſe yoʳ Excellency*

Are ſuch acts as yᵉ Honᵇˡᵉ Councill & yᵉ Burgeſſes now before you deem to be for the good and wellfare of this his Majᵗˢ moſt ancient & great Colony and Dominion of *Virgᵃ* and ſuch as there is preſent occation for. Many other matters thô of weight & moment that would admitt of a reference are put to a further time when it ſhall pleaſe your Excellency to give this or another Aſſembly the oppertunity to Conſider them and now *may it pleaſe your Excellency* we do not in the Leaſt doubt your Excellency's Condeſcenſion to Joyne with us in the paſſing this Roll of Bills and that your Excellency will be pleaſed to favour us with your aſſiſtance & Endeavours to obtaine his Majᵗʸ Gracious anſwer to our addreſs—

293-294

AT A

GENERALL ASSEMBLY

begun at his Majtiesˢ Royall Colledge of *William* and *Mary:* 5th *Decembr* 1700 and thence continued by sevll Prorogacons untill *Wedneſday* ye Sixth of *Augſt* 1701 &ct

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1409, pp. 463-560.]

At a Generall Aſſembly begun at his Majᵗⁱᵉˢ Royall Colledge of *William* and *Mary:* 5ᵗʰ *Decembʳ* 1700 and thence continued by sevˡˡ Prorogacons untill *Wedneſday* yᵉ Sixth of *Augſt* 1701 &cᵗ

[*Wedneſday, Auguſt* 6ᵗʰ, 1701.]

Preſent

HIS Excellency, *Wᵐ Byrd, Edmᵈ Jenings, John Lightfoott, Benj: Harriſon* and *John Cuſtis* Eſqʳᵉ

Lᵗ Coll *Geo. Maſon* haveing firſt taken yᵉ Oaths Appointed by Act of Parliamᵗ to be taken inſtead of yᵉ Oathes of Allegiance & Supremacy Subſcribed yᵉ Teſt & Aſſociation took yᵉ Oath of Burgeſs of this preſent Genˡˡ Aſſembly.

The Occaſion of calling yᵉ Aſſembly and wʰᵗ his Exᶜʸ hath therevpon to deliver to yᵉ houſe of Burgeſſes for their Conſideration is referred till tomorrow morning in hopes there will be a fuller Council.

Council adjourned till to Morrow Morning Seven of yᵉ Clock.

Thurſday Auguſt 7ᵗʰ 1701

Preſent

HIS Excellency, *Wᵐ Byrd, Edmᵈ Jenings, John Lightfoott, Benj: Harriſon* and *John Cuſtis* Eſqʳᵉ

Whereas by ſevˡˡ advices from *England* a Genˡˡ warr is Threatned wherein his Majᵗⁱᵉ oʳ moſt dread Sovʳ and his Kingdomes & Dominions are likely to be deeply Engaged and yᵉ Genˡˡ Aſſembly of this his Majᵗⁱᵉˢ Colony being now mett and Aſſembled together to Adviſe and Conſult wʰᵗ may beſt tend to yᵉ advancemᵗ of Religion & Piety yᵉ Intreſt of his moſt Sacred Majᵗⁱᵉ and yᵉ defence Safety & Security of this his Majᵗⁱᵉˢ Dominion and Subjects here Inhabitting.

Therefore Ordered yᵗ a Proclamacon be drawn enjoyning a day of faſting & Humiliacon to be kept and Obſerved by this ꝑſent Genˡˡ Aſſembly yᵉ Inhabitance of yᵉ City of *Williamſburgh* & parts adjacent vpon *Wedneſday* yᵉ Thirteenth of this inſᵗ *Augſᵗ* and vpon *Wedneſday* yᵉ Twenty Seventh of this inſᵗ *Augſᵗ* in all & every Pariſh & ꝑſhs wᵗʰin this his Majᵗⁱᵉˢ Colony and Dominion to Implore yᵉ Bleſſing of Almighty God for yᵉ preſervacon of yᵉ Proteſtant Religion his Majᵗⁱᵉ Royall Perſon a proſperous ſucceſs vpon yᵉ Conſultacon of this ꝑſent Genˡˡ Aſſembly and yᵉ Peace & Quiet of this Colony.

Ordered yᵗ yᵉ Clrk of yᵉ Genˡˡ Aſſembly do go to yᵉ houſe of Burgeſſes and Comand their imediate attendance upon his Excellency in Council in yᵉ great Roome where yᵉ Comᵗᵗᵉ for Reviſall of yᵉ Lawes uſually Satt.

The Burgeſſes attending, his Exᶜʸ was pleaſed to Expreſs himſelfe thus

Honᵇˡᵉ Gent.

His Majᵗⁱᵉˢ Royall Comands . . . . . [See J. of H. of B., pp. 245-246.]

A Meſſage from yᵉ houſe of Burgeſſes by *Wᵐ Leigh* Gent. & others who preſented yᵉ following reſolve

Thurſday Augᵗ 7ᵗʰ 1701

Reſolved

That yᵉ Houſe doth agree to yᵉ time appointed by his Exᶜʸ & yᵉ Council for laying yᵉ foundacon of yᵉ Capitol and alſo to his Exᶜʸ propoſition yᵗ a Comᵗᵉᵉ of this houſe be appointed

appointed to Joyne wth a Com^tee^ of ye Council to Conſider of meaſures for ye better doeing thereof and w^ht^ ſoever ſhall be propoſed for regulateing y^e^ ſ^d^ building & workmen Employed in it. *Wm Randolph* Clk H: Burg

And then he added

I am further Comanded to acquaint y^r^ Hon^rs^ that the Houſe have Appointed Six of their Memb^rs^ to attend w^ht^ Number of the Council y^r^ Ex^cy^ & Hon^rs^ ſhall think fitt and that they are ready to waite vpon y^r^ Hon^rs^ when you ſhall Appoint time and place.

The Honble *Wm Byrd* Eſq^r^ *Jno Lightfoot* Eſq^r^ & *John Cuſtis* Eſq^r^ are apointed fortw^th^ to Joyn in a Com^tee^ wth Six of ye Members of ye Houſe of Burgeſſes to conſider of ye Meaſures to be taken for laying ye foundaçon of the Capitoll and w^htſoever ſhall be thought neceſſary for regulateing y^e^ ſ^d^ building and workmen Employed in it, and ye Com^tee^ to be held in ye great Room where ye Comittee for reviſall uſually ſatt.

Ordered y^t^ ye Clk of ye Gen^ll^ Aſſembly do go to ye houſe of Burgeſſes and acquaint y^m^ wth this Order.

The Council adjourned till to Morrow morning Eight Clock

Fryday 8th *Aug^ſt^* 1701

Preſent

HIS Ex^cy^, *Wm Byrd, Edm^d^ Jenings, Jno Lightfoot, Benj^a^ Harriſon*, Eſq^rs^

Tho: Holt by his petiçon Setting forth y^t^ ye Clks place for ye Comittee of propoſitions & Grievances being vacant he is very deſireous to ſerve in y^t^ Places.

It being Conſidered by his Ex^cy^ & ye Council y^t^ y^e^ ſ^d^ *Holt* being Sheriff of ye County of *Surry* and not knowing how long ye Aſſembly may ſitt it is not for his Maj^tie^ Service y^t^ he ſhould be Abſent from his County he being the Chief Officer therein.

The Honble *Wm Byrd* Eſq^r^ *Jno Lightfoot* Eſq^r^ and *Jno Cuſtis* Eſq^r^ being apointed to Joyn in a Com^tee^ wth Six of ye Memb^rs^ of ye Houſe of Burgeſſes to Conſid^r^ the meaſures to be taken for laying ye foundaçon of the Capitoll & w^t^ſoever ſhall be thought neceſſary for Regulateing y^e^ ſ^d^ building and workmen Employed in it.

Returne ye reporpt in theſe following words

Memorandum

Propoſed

That an Ord^r^ of Aſſembly be made and publiſhed for ye better managem^t^ of Workmen & Laborers y^t^ are and ſhall be Employed about ye building ye Capitol prohibiting all Ordinary keepers from Entertaining any of y^m^ or ſelling y^m^ any drink w^thout^ leave or Lycenſe of his Ex^cy^, the Comittee for Overſeeing ye building appointed by Law or ye Overſeer vpon penalty of being putt down by ye next Juſtice of ye Peace from keeping Ordinary and being alſo fined according to Law for dealeing wth other peoples Servants.

That no other Perſon w^htſoever entertaine Employ or deale wth any of y^e^ ſ^d^ workmen &c^t^ w^thout^ ye like leave und^r^ penalty of being fined according to y^e^ ſ^d^ Law.

That ye Overſeer have power to Comence ſuite on theſe Occaſions.

And they further reported thus

Wee find Mr *Henry Cary* to have been Imployed by ye Com^tee^ as overſeer of ye building and workmen, and know not of a fitter perſon or better method.

And y^t^ foure of ye workmen being called before us Seemed very ready & willing to go on wth diligence in y^e^ ſ^d^ worke.

John Cuſtis Eſq^r^ added

Ordered

That ye Clk of ye Gen^ll^ Aſſembly do carry the repreſentaçon of ye Com^tee^ for reviſall of ye Lawes concerning an Aſſiſtant together wth there repreſentaçon to ye Honble Gen^ll^ Aſſembly, & lay y^m^ before ye houſe of Burgeſſes to be by y^m^ conſidered.

Ordered

That ye Clk of ye Gen^ll^ Aſſembly do go to ye houſe of Burg. & acq^t^ y^m^ y^t^ his Ex^cy^ Com^ds^ there imediate attendance vpon him in Council in ye great roome where ye Comittee for Reviſall of ye Laws uſually Satt.

The

The Burgeſſes Attending, his Exᶜʸ was pleaſed to Expreſs himſelfe thus *Honᵇˡᵉ Gent.*

I have ſent . . . . . [See J. of H. of B., p. 248.]

Councill adjourned till to Morrow morning Nine of yᵉ Clock.

Saturday 9th *Augſt* 1701

Prſt

HIS Exᶜʸ, *Wᵐ Byrd, Edmᵈ Jenings, Jnº Lightfoot, Benj: Harriſon* and *Jnº Cuſtis* Eſqʳᵉ

The Clk of yᵉ Genˡˡ Aſſembly informeing his Exᶜʸ yᵗ yᵉ Houſe of Burgeſſes had adjourned yᵐſelves till *Munday* morning Nine of yᵉ Clock.

Ordᵈ That yᵉ Council adjourne till *Munday* morning Nine of yᵉ Clock.

Munday 11th *Augſt* 1701

Prſt

HIS Excellency, *Wᵐ Byrd, Jnº Lightfoott, Benj: Harriſon, Jnº Cuſtis*—Eſqʳᵉ

Mʳ *Wᵐ Jones* ℔ Peticon ſetting forth yᵗ he is by yᵉ Worſhipfull houſe of Burgeſſes appointed Clk of yᵉ Comᵗᵗᵉᵉ of propoſicons & grievances & praying yᵗ he may be ſworn & admitted thereunto

Ordʳᵈ

That a Comicon be prepared empowering *Wᵐ Byrd* Eſqʳ *Benj: Harriſon* Eſqʳ & *Jnº Cuſtis* Eſqʳ or any Two of yᵐ to adminiſtʳ yᵉ Oaths Appointed by act of Parliamᵗ to be taken inſtead of yᵉ Oaths of Allegiance & Supremacy yᵉ Teſt & the Aſſociation together wᵗʰ yᵉ Oathe of a Comᵗᵗᵉᵉ Clk unto yᵉ aforeſᵈ *Wᵐ Jones* Gent. Clk of yᵉ Comᵗᵗᵉᵉ of propoſicons and grievances

Wᵐ Byrd Eſqʳ *Benj: Harriſon* & *John Cuſtis* Eſqʳ purſuant to yᵉ aforeſᵈ Comicon adminiſtred yᵉ aboveſᵈ Oaths unto yᵉ aforeſᵈ *Wᵐ Jones* Gent. who haveing taken yᵉ ſame & Subſcribed yᵉ Aſſociacon & Teſt is admitted Clk of yᵉ aforeſᵈ Comittee.

Ordered.

That yᵉ Councill be adjourned till tomorrow Morning Nine of the Clock

---

Tueſday 12th *Augſt* 1701

Prſt

HIS Exᶜʸ, *Wᵐ Byrd, Jnº Lyghtfoot, Benj: Harriſon, Robᵗ Carter* and *Jnº Cuſtis* Eſqʳᵉ

Ordered yᵗ yᵉ Clk of yᵉ Genˡˡ Aſſembly do carry his Majᵗᶦᵉˢ Royall Lettʳ of 9th of *May* 1701 recomending divʳᵉ *ffrench* Proteſtants now lately arrived to yᵉ favʳ & protecc̃ons of his Exᶜʸ & ſevˡˡ other Lettʳᵉ & papʳˢ Relateing to yᵗ Affaire unto yᵉ Houſe of Burgeſſes for their Conſideracon therevpon and deſireing their Speedy advice wʰᵗ is beſt to be done & how theſe p̃ſent *ffrench* Proteſtants ſhall be diſpoſed off.

Ordered

That yᵉ Clk of yᵉ Genˡˡ Aſſembly do carry & lay before yᵉ Houſe of Burgeſſes *Danˡˡ Cox* Eſqʳ his Lettʳ to his Exᶜʸ dated yᵉ 8th *April* 1701 and yᵉ grant for certaine Lands therein menc̃oned together wᵗʰ Mʳ *Micaja Perrys* Lettʳ vpon yᵉ Same Subject yᵗ they take yᵉ ſame into their Conſideracon.

A Meſſage from ye Houſe of Burgeſſes by Coll *Miles Cary* and others who ꝑſ^t^ ye following Ord^r^

*Tueſday Aug^ſt^* 12th 1701

By ye Houſe of Burgeſſes

*May it pleaſe Y^r^ Ex^cy^ and Hon^rs^*

Y^r^ meſſage of this day . . . . . [See J. of H. of B., p. 251.]

His Ex^cy^ & ye Honble Council concurr wth ye Opinion of ye houſe of Burgeſſes as concerning y^e^ *ffrench* Proteſtants lately Arrived.

Ordered

That Mr *Jamart* y^e^ *ffrench* Gent. be ſent for and acquainted wth y^e^ ſame.

Councill adjourned till *Thurſday* Morning Nine a Clock

Thurſday 14th *Aug^ſt^* 1701

Pr^ſt^

HIS Excellency, *Wm Byrd, Edm^d^ Jenings, John Lightffoot, Benj^a^ Harriſon, Robt Carter, John Cuſtis* Eſq^rs^

Sev^ll^ Propoſic̃ons of ye Inhabitants of *Charles City* County on ye North Side *James* Riv^r^ being read.

Ordered The ſame be refferred to ye Conſiderac̃on of the houſe of Burgeſſes.

The Petic̃on of ye Inhabitants of *Briſtoll* P̃iſh in *Charles City* County Read and *Ordered* The Same be refferred to ye houſe of Burgeſſes

Tho: Blunt Int^r^pret^r^ to y^e^ *Nottoway* & *Nanſemond* Indians his Peticon for his Sallary Read and

Ordered To be Refferred to ye Houſe of Burgeſſes.

The Inhabitants of ye vpp^r^ P̃iſh of *Iſle* of *Wight* County petic̃oning y^t^ ſome of ye Inhabitants of ye Lower P̃iſhs of ye aforeſ^d^ County may be added to y^m^

Ordered The Same be referred to ye Conſiderac̃on of ye houſe of Burg^s^ Sev^ll^ Aggrievances of ye Inhabitants of *Northampton* County Read & Referred to ye Conſiderac̃on of ye houſe of Burgeſſes.

Ordered

That ye Clk of ye Gen^ll^ Aſſembly doe carry ye above menc̃oned pap^rs^ & Lay y^m^ before ye houſe of Burgeſſes for their Conſiderac̃on therevpon to be had.

Councill adjourned till to Morrow Morning Nine of ye Clock.

Fryday 15th *Aug^ſt^* 1701

Pr^ſt^

HIS Ex^cy^, *Wm Byrd, Edm^d^ Jenings, John Lightffoot, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis* Eſq^rs^

Reſolved

That ye P̃ceedings of his Ex^cy^ & ye Council heretofore had concerning fortificac̃ons & ye Securety & Defence of this his Maj^tie^ Colony be laid before ye Houſe of Burgeſſes.

And y^t^ they conſider ye Buſyneſs of ye Rang^rs^ vpon ye Frontiers at ye heads of ye Riv^rs^ & whether it may not be propr (vpon any Emerg^t^ Occaſion) y^e^ ſame [be] Veſted in his Ex^cy^ & ye Council now in ye time of Im̃in^t^ danger.

Three Petic̃ons from Mr *Chickeley Corbin Thacker* One for Publick S^r^vices another for removeing ye Records & ye Third for One hundred & fourty pounds of Tobacco read and referred to ye Conſiderac̃on of ye houſe of Burgeſſes

Councill adjourned till tomorrow morning Nine of ye Clock.

Saturday

Saturday ye 16th *Aug^ſt^* 1701

Prſt

HIS Exc^cy^, *Wm Byrd, Edm^d^ Jenings, Robt Cartar, John Cuſtis* Eſq^rs^

His Exc^cy^ laid before ye Council a Meſſage ſent to his Exc^cy^ from ye houſe of Burgeſſes in theſe following words

ffryday 15th *Aug^ſt^* 1701

By ye Houſe of Burgeſſes

Ordered.

That a Meſſage be ſent to his Exc^cy^ y^t^ he will pleaſe to Cauſe ye Acc^ts^ of ye Publick revenue be laid before this houſe. Mr *Corbin*, Mr *Walters*, M^r^ *ffitzhugh*, Mr *Thacker*, Mr *Butt*, and Mr *Armeſtead* are deſired forthw^th^ to cary the ſ^d^ meſſage.

Wm Randolph Clk H Burg—

Ordered

That ye Honble Mr Audit^r^ *Byrd* prepare y^e^ ſame wth all Expedic̃on y^t^ it may be laid before ye Houſe.

Council adjourned till *Tueſday* morning Nine of ye Clock.

Tueſday. 19th *Aug^ſt^* 1701

Prſt

HIS Excellency, *Wm Byrd, Edm^d^ Jenings, Char: Scarburgh, John Lyghtfoot, Benj^a^ Harriſon, John Cuſtis* and *James Blair* Eſq^rs^

Whereas it is thought very convenient in this time of dang^r^ y^t^ ſome certaine method ſhould be taken for the better ſtrengthening of o^r^ ffrontiers both by Sea & Land and diſcovering ye approaches of an Enemy.

Ordered

That ye Honble *Wm Byrd* Eſq^r^ *Benj^a^ Harriſon* Eſq^r^ and *John Cuſtis* Eſq^r^ be appointed as a Comittee to Conſid^r^ how y^e^ ſame ſhall be Effected and y^t^ his Exc^cy^ and ye Council do recom̃end it to ye houſe of Burgeſſes to appoint a Convenient Numb^r^ of their houſe to joyne wth y^e^ ſ^d^ Com^ttee^ of ye Council to Conſider of ye prop^r^ wayes & meanes to do y^e^ ſame with all Expedition—

Ordered

That ye Honble *Charles Scarburgh* Eſq^r^ *Robt Carter* Eſq^r^ and *James Blaire* Eſq^r^ three of ye members of his Maj^ties^ Honble Councill be appointed as a Com^ttee^ and his Exc^cy^ and ye Council do recomend it to ye Burgeſſes to appoint a Convenient Numb^r^ of theire houſe to Joyne wth y^e^ ſ^d^ Com^ttee^ of ye Council to Conſid^r^ and inſpect ye whole proceedings of ye Com^rs^ appointed to Examine ye Claimes and Tytles to Land in *Pamonkey* Neck and on ye South-Side of *Blackwat^r^* ſwamp in their Sev^ll^ Courts, y^t^ y^e^ ſame may be now wth all expedition Compleated Perfected and Ended.

Ordered

That ye Clk of ye Gen^ll^ Aſſembly do carry ye aboveſ^d^ Order to ye Houſe of Burgeſſes.

The Honble Mr Auditor *Byrd* purſuant to ye Ord^r^ of 16th Inſ^t^ laid before his Exc^cy^ & ye Council ye State of his Maj^ties^ Revenue vpon ye Quitt rents *Anno* 1700 And alſo a State of his Maj^ties^ Revenue vpon ye Two ſhillings ℔ hh^d^ &c^t^ from 25th *Octob^r^* 1700 to ye 10th *June* 1701 wch he had prepared.

Purſuant to a Meſſage from ye Houſe of Burgeſſes to his Exc^cy^ of ye 15th Inſ^t^

Ordered

That ye Clk of ye Gen^ll^ Aſſembly do carry y^e^ ſame and lay it before ye Houſe of Burgeſſes.

Mr *Chicheley Corbin Thacker* Clk of ye Secretaryes Office Repreſenting to this houſe that there are Two Bookes of Patents So very old and decayed y^t^ unleſs they be Speedly Renewed by Tranſcribeing they will be utterly uſeleſs and praying direc̃ons therein may be given

The ſame is referred to ye Houſe of Burgeſſes.

Charles

Charles Scarburgh John Cuſtis James Blaire Eſqrs abſent.

A meſſage from the Houſe by Mr *Richd Bland* and Others.

May it Pleaſe yr Excy

Wee are Comanded by ye Houſe of Burgeſſes to Acquaint yr Excy and Honrs that the Houſe have appointed Two Sevll Comttees according to yr Excy and Honrs propoſall one to Conſidr of ye moſt proper way and meanes to Strengthen or ffrontiers by Sea and Land the other to Examine ye Claimes and Tytle to Land in *Pomonkey* Neck and on ye South-ſide of *Black-watr* Swamp in their ſevll Courts when and where yr Honrs ſhall appoint.

Ordered

That ye Clk of ye Genll Aſſembly do acquaint the Houſe of Burgeſſes that ye Honble Membrs of his Majties Council appointed to Joyne wth a Comittee of ye houſe are ready now to ſitt in ye Council Chamber, or at any other time when ye houſe ſhall think fitt to Conſidr of ye moſt proper way and meanes to Strengthen the ffrontiers both by Sea and Land.

And yt other Comttee appointed to Conſidr and inſpect ye whole proceedings of ye Comrs appointed. to Examine ye Claimes & Tytles to Land in *Pomonkey* Neck and on ye South ſide of *Black water* Swamp in their ſevll Courts will be ready to ſitt to Morrow morning Tenn of ye Clock in ye Councill Office.

The Council adjourned till to Morrow Morning Nine a Clock.

Wedneſday 20th *Auguſt* 1701

Prſt

HIS Excy, *Wm Byrd, Edmd Jenings, Char. Scarburgh, John Lightffoot, Matthew Page, Benja Harriſon, Robt Carter, John Cuſtis* and *James Blair* Eſqrs

Ordered

That ye Clk of ye Genll Aſſembly acquaint ye houſe of Burgeſſes yt ye Honble *Edmd Jenings* Eſqr *John Lightfoot* Eſqr and *Matt Page* Eſqr are appointed as a Comttee to Conſider of ſevll Propoſitions laid down for and concerning the Building the Capitoll

And yt his Excy & ye Council do recomend it to the Burgeſſes to appoint a Convenent Number of their Houſe to Joyne wth ye ſd Comittee of ye Council to Conſidr ye Same and that the ſd Comittee forthwith Sitt in the Secretaryes Office.

Councill adjourned till to Morrow Morning Nine a Clock.

Thurſday 21ſt *Auguſt* 1701

Prſt

HIS Excellency, *Wm Byrd, Edmd Jenings, Ch Scarburgh, John Lightffoot, Matt: Page, Robt Carter* Eſqrs

The Comttee appointed to Conſidr of ſevll Propoſitions laid down concerning ye building ye Capitall this day returned their report.

Council adjourned till to Morrow morning Nine Clock.

Fryday 22d *Auguſt* 1701

Prſt

HIS Excy, *Wm Byrd, Edmd Jenings, Char. Scarburgh, John Lighfoot, Benja Harriſon, Matt Page* and *John Cuſtis* Eſqrs

The report of ye Comttee appointed to Conſidr of the way and meanes to Strengthen ye ffrontiers by Sea and Land Read and Ordered to lye vpon ye Table

The Report of ye Comttee appointed to Conſidr & inſpect ye whole proceedings of ye Comrs appointed to Examine ye Claimes & Tytles to Land in *Pomonkey* Neck and on ye Southſide of *Black-watr* Swamp in their ſevll Courts. Read ye firſt time & Ordered a Second reading—

A Meſſage from ye houſe by Mr *Waters* & others about an Ordnance of Aſſembly prohibitting the Ordnary Keep^rs to Entertaine ye workmen employed for Building ye Capitoll and praying their Hon^rs concurrence thereto was read ye firſt time and Ordered a Second reading—

Council adjourned till to Morrow Morning Nine Clock

Saturday 23^d *Aug^ſt* 1701

Prſt

HIS Ex^cy, *Wm Byrd, Edm^d Jenings, Char: Scarburgh, John Lightfoott, Matt: Page, Benj^a Harriſon* and *John Cuſtis* Eſq^rs

The report of ye Com^ttee appointed to Conſider & Inſpect the whole proceedings of ye Com^rs appointed to Examine the Claimes and Tytles to Land in *Pomonkey* Neck and on ye Southſide of *Blackwat^r* Swamp read ye Second time And vpon y^e ſ^d report Concerning ſome Suryeys returned for Pattents to Iſſue.

The Honble *Edm^d Jenings* Eſq^r entred a Caveat & prayed no Patent might Iſſue to *Benj^a Arnold* for Two Thouſand one hundred Acres of Land Reported by ye Com^ttee untill he was fully heard in ye matt^r he Suggeſting y^t ſome of y^e ſame was w^thin his Grant.

He alſo prayed y^t no Pattent might Iſſue to *John Hunt* for five hundred forty Six acres of Land Reported by ye Comittee untill he was heard in ye premiſſes

Upon proceeding forward in reading ye aforeſ^d Report concerning ſev^ll Claimes to Land in *Pomonkey* Neck Returned to be w^thin ye bounds of ye Land aſſigned to y^e *Pomonkey* Indians, It is ye Opinion of his Ex^cy & ye Council y^t for advancem^t of his Maj^tie Intreſt & maintaining Peace & Quiet a Conferrance be held wth ye houſe of Burgeſſes for ſettling all Indian Matters

Ordered

That ye Clk of ye Gen^ll Aſſembly do carry to ye houſe of Burgeſſes this following writeing

Saturday 23^d *Aug^ſt* 1701

By ye Honble Council

Upon reading ye Report of ye Com^ttee appointed to conſid^r and Inſpect ye whole proceedings of ye Com^rs appointed to examine ye Claimes and Tytles to Land in *Pomonkey* Neck and on ye South-ſide of *Blackwater* Swamp in their ſev^ll Courts y^t y^e ſame be now wth all expedition Compleated perfected & Ended and a Peticon from Some of y^e *Pomonkey* Indians praying for a Patent to be to y^m granted ye Council finding ſev^ll Difficulties in Settling ye Indian Affaires deſire a free Conference to be held on *Wedneſday* next in ye Council Chamb^r by five of their Memb^rs wth ſuch a Convenient Number of Burgeſſes as ye Houſe ſhall think fitt to Conſid^r ye beſt & propereſt methods to Settle all matt^rs relateing to Indian affaires, and Concludeing all Buſyneſs relateing to *Pomonkey* Neck & *Blackwat^r* Lands.

The Ordinance of Aſſembly prohibitting Ordinary keepers to Entertaine ye Workmen Employed for Building ye Capitoll was read y^e ſecond time to wch ye Council Conſents wth ſome amendm^ts

Ordered

That ye Clk of ye Gen^ll Aſſembly do carry ye aforeſ^d Ordinance of Aſſembly wth y Amendm^ts to ye houſe of Burgeſſes & acq^t y^m y^t ye Councel have conſented thereto wth theſe Amendm^ts

A Meſſage from ye Houſe by Coll *Cary* and others.

May it Pleaſe y^r Hon^rs

Wee are Comanded by ye houſe of Burgeſſes to Acq^t y^r hon^rs y^t in Anſw^r to y^r Hon^rs meſſage to ye houſe concerning a free Conferrence they have Appointed Tenn of their Memb^rs to Attend on *Wedneſday* next at ye Place Appointed.

The Honble *Wm Byrd* Eſq^r, *Ch: Scarburgh* Eſq^r, *Matt Page* Eſq^r, *Benj^a Harriſon* Eſq^r, & *Robt Carter* Eſq^r, are appointed on ye Council p^t to Manage y^t conference

Council adjourned till *Munday* morning Nine Clock

Munday

Munday 25th *Augſt* 1701

Prſt

HIS Excy, *Wm Byrd, Edmd Jenings, Char: Scarburgh, John Lightfoot, Matt: Page, Benjn Harriſon* and *John Cuſtis* Eſqrs

The Report of ye Comttee for Strengthening ye ffrontiers by Sea & Land read ye ſecond time & ſevll Amendmts

Ordered

That ye Amendmts be fairly drawn agt tomorrow morning.

Council adjourned till to Morrow Morning Nine of ye Clock.

Tueſday 26th *Augſt* 1701

Preſent

WM BYRD, Edmd Jenings, Char: Scarburgh, John Lightfoot, Matthew Page, Benjn Harriſon, John Cuſtis Eſqrs

A Meſſage from ye Houſe by Mr *Milner* & others yt ye houſe had agreed to ye Amendmts propoſed to be made to ye Ordinance of Aſſembly prohibitting ye Ordinary Keepers to Entertaine &ct ye workmen Employed for Building ye Capitol wch being read

Ordered

That ye Clk of ye Genll Aſſembly do return ye Ordinance of Aſſembly prohibitting ye Ordinary keepers [to] Entertaine &ct ye workmen Employed to build ye Capitol and acqt ye Houſe of Burgeſſes yt ye Council have Conſented thereunto as it is amended.

Ordered

That ye Clk of ye Genll Aſſembly do carry to ye houſe of Burgeſſes The following Meſſage in writeing.

By ye Council

Mr Speaker

His Excy intended to have Spoke to you himſelve but being indiſpoſed at Prſt hath deſired us to Comunicate to you the ſevll Propoſitions now ſent for yr Conſideracon which are as followeth.

Honble Gentlemen

According to my Promiſe . . . . . [See J. of H. of B., pp. 268-270.]

Councill Adjourn'd till to Morrow Morning Nine of the Clock.

Wedneſday 27th *Augſt* 1701.

Preſt

WM BYRD, Edmd Jenings, Cha: Scarburgh, Jne Lightfoot, Matt Page, Benj: Harriſon and *Jne Cuſtis* Eſqrs

The Conferance Appointed to be held this day by ffive Members of ye Council wth a certaine Number of ye houſe Burgeſſes to conſider the beſt and Propereſt Methods to Settle all Matters relateing to ye Indian Affaires, and concludeing all buſineſs Relateing to *Pomonky* Neck and *Black Water* Land & their Courts Comeing now under Conſideration ye Honble *Robt Carter* Eſqr being one of ye Members of Council Appoynted to Manage that conferance, He being now Abſent, ye Honble *John Cuſtis* Eſqr is by ye Honble Council Appoynted in his Stead.

Dionyſius Wright is Appoynted to Aſſiſt as Clerk at ye Conferance.

Council Adjourn'd till *Tueſday* next Nine of ye Clock

Tueſday

Tueſday 2d 7ber 1701.

Preſt

WM BYRD, *Edmd Jenings, Cha: Scarburgh, Robt Carter* Eſqrs

A Meſſage from ye Burgeſſes by Mr *Macon* and Others, whoe brought to ye Councill for their Honrs Concurrence

An Ordinance of Aſſembly for Settleing ye Bounds of *Iſle of Wight, Surry* and *Charles City* Counties—

Ordered

That it ly upon ye Table to be Read in a fuller Council

A Bill from ye Burgeſſes entituled *an Act concerning ye Militia.*

Ordered

That it lie upon ye Table to be Read in a fuller Council

John Lightfoot Eſqr Added

Council Adjournes till to Morrow Morning Nine of the Clock

Wedneſday 3d *Sept:* 1701.

Preſt

HIS Excy, *Wm Byrd, Edmd Jenings, Cha: Scarburgh, John Lightfoot* Eſqrs

Ordered

That the Clerke of ye Genll Aſſembly do Carry to ye Houſe of Burgeſſes this following Meſſage in writeing.

Mr Speaker

Whereas his Excy . . . . . [See J. of H. of B., p. 278.]

The Petiĉon of *Thomas Parker* and *Thomas Mackyehey* for Lands Leaſed by the *Pomonky* Indians.

Ordered

To be refferd to ye Conſiderats of ye houſe of Burgeſſes

John Tullitts Petiĉon for Apprehending an Out Lying Negroe Called *Billy,*

Ordered

To be reffered to ye Conſideraĉon of ye Houſe of Burgeſſes

A Meſſage from ye Burgeſs by Mr *Fofter* & Others.

May it pleaſe yor Excellcy & Honrs

I am Coñanded by ye Houſe to deliver this Meſſage to your Excy and Honrs

Wedneſday Sept 3d 1701.

By ye Houſe of Burgeſſes

May it Pleaſe yor Excy and Honrs

In Anſwer to yor Meſſage . . . . . [See J. of H. of B., p. 278.]

Council Adjourn'd till to Morrow Morning Nine of ye Clock.

Thurſday 4th 7ber 1701

Preſent

WM BYRD, *Edmd Jenings, Cha: Scarburgh, John Lightfoot* and *Benjs Harriſon* Eſqrs

The Petiĉon of *Edwd Bell, Edwd Huckſtep, Philip Williams, Thomas Mackgehay, George Shillin* and *James Johnſon* for Land wthin ye Bounds of ye Land Laid out for ye *Pomonkic* Indians, and leaſed to them by the Aforeſd Indians.

Ordered to be reffer'd to the Conſideracon of ye houſe of Burgeſſes how (the Indians haveing a Pattent for the Whole) theſe Mens petiĉons can be Anſwered.

Jno Rowñ Petiĉon for allowance as door keeper to his Excy & the Council this Seſſion of Aſſembly

That

That ye Same be recomended to ye Conſideracõn of the houſe of Burgeſſes.

A Bill from ye Burg Entituled *an Act concerning the Militia*, Read the firſt time, and Ordered a Second Reading

An Ordinance of Aſſembly for Settleing ye Bounds of *Iſl-Wight*, *Surry* and *Charles City* Counties, Read the firſt time and Ordered a Second Reading.

Council Adjourn'd till to Morrow Morning Nine of ye Clock.

Fryday 5th *Sep^t^* 1701

Preſent

HIS Ex^cy^, *Wm Byrd*, *Cha: Scarburgh*, *John Lightfoot*, *Benj^a^ Harriſon* and *Robt Carter* Eſq^rs^

His Ex^cy^ Laying before the Councill a Letter from Maj^r^ *Peter Feild*, dated ye 3^d^ *Sep^t^ Inſtant* Concerning two Strange Indians, taken upon *Swift* Creek and brought heither Priſoners.

Ordered That ye Clerk of ye Gen^ll^ Aſſembly carry ye Aforeſ^d^ Letter & Lay it before the Houſe of Burg And deſire them to ſend ſome of theire Member forthwith to hear ye S^d^ Indians Examined before his Ex^cy^ and the Council

James Blair Comiſſ^r^ Added

The Houſe Appointed Eight of their Members (*Viz^t^*) *Miles Cary*, *Wm Tayloe*, *Richd Bland*, *Robt Beverly*, *Wm Gough*, *Tully Robinſon*, *Thomas Edmondſon* and *Joſhua Wynn* Burg: to Attend at ye Examinacõn.

The Aforeſ^d^ Indians being fully Examined & heard were for ye p^r^ſent ſent back Under a keeper.

Edmund Jenings Eſq^r^ Added

Upon due & Serious conſideracõn had of w^t^ ſhall be done with the two Indians.

Ordered

That the Clerk of ye Gen^ll^ Aſſembly Acquaint the Houſe of Burg: that ye two Strange Indians Sent heither Priſoners by Maj^r^ *Peter ffeid* [*ffeild*] haveing been Examin'd before his Ex^cy^ & Council in the preſence of Eight of ye Members of ye houſe of Burgeſſes.

His Ex^cy^ & ye Honble Council conceiveing the whole Country to be therein concern'd Deſire ye Advice of ye houſe, what is beſt to be done wth ye Aforeſ^d^ Indians.

Council Adjourn'd till to Morrow Morning Nine of the Clock.

Saturday 6th *Sep^t^* 1701

Preſent

WM BYRD, *Edm^d^ Jenings*, *Cha Scarburgh*, *John Lightfoot*, *Benj^a^ Harriſon*, *Robt Carter* and *James Blair* Eſq^rs^

A Meſſage from ye Burgeſſes by Coll: *Miles Cary* and Others.

By the Houſe of Burg:

*Sep^t^* 6th 1701

Reſolved

That a Conferance be deſired wth the Council, the better to enable this houſe to give a Suteable Anſwear to ye Meſſage of his Ex^cy^ & ye Council Yeſterday Concerning the Two Strange Indians

Wm Randolph Cl H Burg

The Honble *Wm Byrd* Eſq^r^ *Benj^a^ Harriſon* Eſq^r^ and *John Lightfoot* Eſq^r^ Appointed to Manage ye Conferance.

Ordered

That ye Clerk of ye Gen^ll^ Aſſembly Acquaint ye Houſe of Burg: that ye Council have Appoynt'd three of their Members, to confer wth a Convenient Number of ye houſe of Burg: to conſult a Suteable Anſwer to ye Meſſage Concerning two Strange Indians.

The

The Honble *Wm Byrd* Eſq^r *Edm^d Jenings* Eſq^r *Charles Scarburgh* Eſq^r *Benj^a Harriſon* & *Robt Carter* Eſq^rs Appointed to Manage a Conference wth the Burg: about the bill Intituled *an Act Concerning the Militia*

Ordered

That a free Conferrence be deſired to be held on *Monday* Next in ye Council Chambers About one of the Clock Afternoon by five Members of ye Council wth a Convenient Number of ye Burg: as the Houſe ſhall think fitt to conſider upon ye Subject Matter of the bill Intituled *an Act concerning the Militia.*

An Ordinence of Aſſembly for Settleing ye bounds of *Iſle-Wight, Surry* & *Charles Citty* Counties, Read the Second time, & Ordered a Third Reading.

An Ordinence of the Aſſembly for Settleing ye Bounds of *Iſle-Wight, Surry* & *Charles Citty* Counties read the Third time and Agreed to by ye Council.

Reſolved

That it paſs

Ordered

That ye Clerke of ye Gen^ll Aſſembly doe carry ye S^d Ordinance to ye Houſe of Burg: and Acq^t them that ye Council have Agreed thereto.

A Meſſage from ye Burg by Mr *Beveley* and Others, who preſent ye Houſe wth ye following Reſolve.

By ye Houſe of Burgeſſes *Sep^t* 6th 1701.

Reſolved

That this Houſe will not Agree to a Conference wth the Council upon ye Subject Matter of the bill Entituled *An Act concerning the Militia*, untill ye S^d bill be Return'd to the Houſe.

Preſent His Ex^cy

A Meſſage from ye Burg: to his Excellency and the Council by Coll: *Miles Cary* and Others, Who peſent the following Reſolve.

By ye Houſe of Burg *Sep^t* 6th 1701.

Reſolved

That it is ye Opinion of this Houſe that ye Two Strange Indians Sent heither by Maj^r *Peter Feild* are Enimies to ye Governm^t & that they be therefore tranſported to *Barbados*,

Reſolved

That his Ex^cy & ye Council concurr wth ye Opinion and reſolve of ye Houſe, concerning ye two Strange Indians And Accordingly

Ordered

That ye Honble *Wm Byrd* Eſq^r take Care for Tranſportation, and that an Inſtrument be drawne for that purpoſe, and that ye Sheriff of *James City* County in mean time, keep & Secure them Under a Strong Guard, Untill they ſhall be delivered to ye Maſter of ye Sloop *Weſtover*, In Order to their Tranſportation.

His Ex^cy Abſent

A Bill from ye Burgeſſes, Entituled *an Act Concerning the Militia* Ordered to be Coñitted for Amendments *Scarburgh, Harriſſon, Carter*, to Conſider Upon ye paticular heads of Amendments

Council Adjourn'd till *Monday* Morning Nine of the Clock.

Munday Sep^t 8th 1701

Preſent

WM BYRD, Edm^d Jenings, Benj^a Harriſon, Robt Carter and *James Blair* Eſq^rs

A Meſſage from ye Burg: by Mr *Beverley* and Others, Whoe p^ſent ye following bills, & pray their Hon^rs Concurrence.

A Bill Entituled *An Act for divideing* King & Queen *County* read ye 1^ſt time and Ordered a 2^d Reading.

A Bill Entituled *an Act giveing power to ye Sherriff Attending ye Gen^ll Courts to Sumon Jurors & Evidences w^thin ye City of* Williamſburgh Read the firſt time and Ordered a Second Reading

Council Adjourn'd till to Morrow Morning Nine of ye Clock.

Tueſday

Tueſday 9th *Sept.* 1701.

Preſent

WM BYRD, *Edm*d *Jenings, Charles Scarburgh, Matt Page, Benj*a *Harriſſon, Robert Carter, James Blair* Eſqrs

Charles Scarburgh Eſqr from ye Committee to conſider Upon ye Amendments to ye Bill, Entituled *an Act Concerning y*e *Militia*, Reports that they have reſolved Upon Sevll Amendmts and Ordered to ly Upon the Table

John Lightfoot Eſqr Added

A Meſſage from ye Burg: by Mr *Macon* and Others, Whoe preſent to ye Councill ye following bills and Pray their Honrs Concurrence,

A Bill Entuled *and Act for better Strengthening the frontiers and diſcovering y*e *Approaches of an Enimie.*

A bill Entituled *an Act for y*e *More Effectually Apprehending an Out Lying Negroe, whoe hath comitted divers Robberies and Offences.*

A bill for Quieting ye poſſeſcon of Sevll perſons Seated Within ye bounds of ye Land laid out for ye *Pomonky* Indians.

Ordered That ye Sd bills be read the firſt time to Morrow Morning.

Council Adjournd till to Morrow Morning Nine of ye Clock

Wedneſday 10th *Sept.* 1701.

Preſent

HIS Excy, *Wm Byrd, Cha: Scarburgh, John Lightfoot, Matt Page, Benja Harriſon, Robt Carter* and *James Blair* Eſqrs

Ordered

That ye Clerke of ye Genll Aſſembly doe Carry ye proceedings had Agt ye Two Strange Indians Priſoners and all papers and Charges thereunto relateing to the Houſe of Burg: for their Conſiderat: thereupon & how the Charge ſhall be paid.

His Excy Abſent

A Bill Entituled *an Act for divideing* King & Queen *County* Read the Second time and Committed to *Edmd Jenings* Eſqr for Amendments.

A bill Entituled *An Act Giveing Power to y*e *Sheriff for Attending y*e *Genll Courts to Sumons Jurors and Evidences wthin the City of* Williamſburgh, read ye Second time and Comitted for Amendmts to *Benja Harrifon* Eſqr

A Bill Entituled *an Act for ye better Strengthening the frontiers & diſcovering the Approaches of an Enemy.* Read ye firſt time, and Order'd a Second Reading—

A Bill, Entuled *an Act for the More Effectual Apprehending an Outlying Negroe, wch hath comitted divers Robberies and Offences*, Read the firſt time and Ordered a Second Reading

A Bill Entituled *an Act for Quieting the Poſſeſcon of Sevll perſons Seated wthin y*e *bounds of y*e *Land, Laid out for y*e Pomononkey *Indians* Read ye firſt time and Ordered a Second Reading.

Edmd Jenings Eſqr Added.

A Meſſage from ye Burg by Coll: *Miles Cary* and Others

That they had brought to the Council the Report of the Comittee for Publick Claimes, and Prayed their Honrs Concurrence.

Alſoe Reſolved [Reſolves] of the Houſe Concerning Allowances to the Reviſal, And prayed their Honrs Concurrence.

Ordered That ye Clerk of ye Genll Aſſembly returne to ye Houſe of Burg: the Bill Entituled *an Act concerning the Militia* and Acquaint ye Houſe that ye Council have Made Sevll Amendmts thereto and Agree to the Bill wth theſe Amendmts and deſire ye Concurrence of the Houſe.

Council Adjourned till to Morrow Morning Nine of the Clock

Thurſday

Thurſday 11th *Sept* 1701.

Preſent

WM BYRD, Edmd Jenings, Cha: Scarburgh, John Lightfoot, Matt: Page, Benja Harriſon, James Blair Eſqrs

A Meſſage from ye Burg: to the Council by Mr *Thomas Barber* and Others, *May it Pleaſe Your Honrs*

I am directed by the Houſe of Burgeſſes, to prſent to your Honrs ye Reſolves of ye Houſe Concerning *Pomonky* Neck and *Black Water* Land and pray yor Honrs Concurrence.

Ordered

That it Ly Upon the Table.

Preſent His Excy

Whereas Sevll diſputes have heretofore And Daily do Ariſe, what Shall be Accounted a Charge to be laid upon and paid by ye Publick, and what is to be paid Expreſſly out of and by his Majties Revenue, for prevencon whereof for ye future

Ordered—

That it be prepoſed to, & laid before the Houſe of Burg: that a Law be Made to diſtinguiſh what Shall be Accounted a Countrey Charge, and what Shall be paid Out of ye Kings Revenue,

His Excy Abſent

A Bill Entituled *an Act for devideing* King & Queen *County* Read the third time wth the Amendmts

Reſolved

That ye bill wth ye Amendmts paſs.

Ordered

That the Clerk of ye Genll Aſſembly returne the Said bill to ye Houſe of Burg: and Acqt them that ye Council Agree thereto wth ye Amendmts and deſire the Concurrence of the Houſe.

A Bill entituled *An Act giveing power for attending ye Genll Court to Sum[m]on Jurors and Evidences wthin ye City of* Wmſburgh read ye 3d time wth ye amendmts

Reſolved. That ye Bill wth ye amendmts do paſs

Ordered That ye Clk of ye Genll Aſſembly return ye ſd Bill to ye Houſe of Burg. & acqt ym yt ye Council agree thereto with ye amendmts and deſire ye Concurence of ye Houſe

Robert Carter Eſqr Added

A Bill Entituled *an Act, for ye better Strenghening the ffronters, & Diſcovering the Approaches of an Enimie* Read ye Second time and Comitted for Amendmts

A Meſſage from ye Burgeſſes by Mr *Edwin Thacker* and Others.

May it Pleaſe Your Honrs

Wee are Comanded to Acqt Yor Honrs that the Burgeſſes have Agreed to ye Amendmts made by ye Council to the bill for Divideing *King* & *Queen* County Alſoe to ye Amendmts Made to ye bill Giveing power to ye Sheriffs Attending ye Genll Courts to Sumons Jurors and Evidences wthin ye City of *Williamſburgh.*

A Bill Entituled *an Act for ye More Effectual Aprhending an Outlying Negroe whoe hath comitted divers Robberies and Offences* Read the Second time and Ordered a third Reading.

Council Adjourned till to Morrow Morning Nine of ye Clock.

Fryday

Fryday 12th *Sept.* 1701.

Preſent

WM BYRD, *Cha: Scarburgh, John Lightfoot, Matt: Page, Benjo Harriſon, James Blair* Eſqrs

A Meſſage from the Burgeſſes by Coll *Wm Leigh* and Others.

May it pleaſe Yor Honr

Wee are Comanded by ye houſe of Burgeſſes to Acqut Yor Honrs ye houſe deſires a Conference wth ſome of ye Members of ye Honble Council concerning ſome Amendmts made to ye bill Entituled *An Act Concerning y Militia.*

Edmd Jenings Robt Carter Eſqrs Added

Reſolved.

That a Conference be Agreed to. And *Edmd Jenings* Eſqr *Jno Lightfoot* Eſqr *Matt Page* Eſqr be Appointed to Manage the Conferrence

Ordered

That ye Clerke of ye Genll Aſſembly Acqt the Houſe of Burg: that ye Council have Agreed that three of their Members, Shall forthwth Conferr wth a Convenient Number of ye Burg: upon ſome Amendmts Made by ye Council, to ye Bill Entituled *an Act concerning y Militia*, & this Conferance to be in the Council Office.

A Bill Entituled *an Act for y bett Strengthening ye ffronters, & diſcovering y Approaches of the Enimy* Read ye third time wth Amendmts

Reſolved

That ye bill wth ye Amendmts do paſs

Ordered

That ye Clerk of ye Genll Aſſembly returne ye Sd bill to ye Burgeſſes, and Acqt them that ye Council have Agreed thereto wth the Amendments and deſire the concurrence of the Houſe.

A Bill Entituled *an Act for y more Effectuall Apprehending an Outlying Negroe who hath comitted divers Robberies & Offences* read ye third time,

Reſolved

That the bill doe paſs.

Ordered—

That the Clerk of ye Genll Aſſembly do returne the Sd bill to ye Burg: and Acqt them that ye Council have Agreed thereto wthout any Amendmts

Charles Scarburgh Eſqr Abſent

A Meſſage from ye Burg: by Coll: *Wm Leigh* and Others.

May it Pleaſe yor Honrs

Wee are Comanded by the Houſe of Burg: to Acqt Yor Honrs that the Burg: doe Agree to all ye Amendmts Made by yor Honrs to ye Bill Entituled *an Act for the better Strengthening the ffrontiers, and diſcovering y Approaches of an Enimie*, Save only this one, where it is Said *y Lookouts Shall be paid by the Publick—(According to Agreemt)* Inſtead whereof they pray it may be Said (after the rate of two hundred pounds of Tobo ℔ Month) and thereto they pray yor Honrs Concurrence.

Reſolved

That ye Council doe not inſiſt upon that One Amendmt—But

Reſolved

That ye Bill doe paſs as it is now Agreed to by the Burgeſſes,

Ordered

That the Clerke of ye Genll Aſſembly doe returne ye Sd bill wth ye Aforeſd Amendmts to ye Houſe of Burgeſſes

Conferrees about the militia Bill Return that they had come to a Reſolution of ſeveral amendments thereto to be made which were diſtinctly read

A Bill Entituled *an Act for Quieting the Poſſeſſon of Sevll perſons ſeated wthin y Bounds of y Land laid out for y* Pomonkey *Indians*, Read the Second time and Ordered a Third Reading.

Council Adjourned till to Morrow Morning Nine of the Clock

Saturday

Saturday 13th *Sept.* 1701.

Preſent

WM *BYRD, Edmd Jenings, John Lightfoot, Matt Page, Robt Carter* Eſqrs

A Meſſage from the Burg: by Coll: *Wm Leigh* and Others

May it pleaſe yor Honrs

Wee are Comanded by the Houſe of Burgeſſes to returne to your Honrs a Bill Entituled *an Act for ye better Strengthening ye Frontiers & diſcovering the Approaches of an Ennimy*, and to Acquaint yor Honrs that the Burg: have Agreed, to ye Sevll Amendmts propoſed by yor Honrs and Alſoe the Additional Clauſe and Accordingly have Amended the Same and pray yor Honrs Concurrence

Wee are Alſoe Comanded to prſent your Honrs wth an Addreſs to his Excy to lay Open the Land Upon *Black Water* Swamp, and in *Pomonkey* Neck. *Ordered* that it lyes Upon The Table

Ordered

That the Bill be Agreed to as it is now Amended.

Council Adjourned till *Munday* Morning Nine of the Clock.

Munday 15th *Sept.* 1701.

Preſent

HIS Excy, *Wm Byrd, Edmd Jenings, Matt: Page, James Blair* Eſqrs

His Excy being Made Acquainted that ye Houſe of Burgeſſes was Adjourned.

Council Adjourned till to Morrow Morning Nine of the Clock.

Tueſday 16th *Sept.* 1701.

Preſent

WM *BYRD, Matt: Page. James Blair* Eſqrs

A Meſſage from the Burgeſſes by Colo *Miles Cary* and Others, Who preſent the following Reſolve

Sept 16th 1701

By ye Houſe of Burgeſſes

Reſolved and Accordingly Ordered

That ye Sum of Two hundred Eighty Three Pounds five ſhillings *Sterling* be put into ye Hands of the Truſtees of the City of *Williamſburgh* for paymt of the Severall proprietories concerned in the Land taken for ye ſaid City

Council adjourned till to Morrow morning Nine of ye Clock

Wedneſday 17th *Sept.* 1701

Preſent

WM *BYRD, Edmd Jenings, John Lightfoot, Matt: Page, James Blair* Eſqrs

Addreſs from the Houſe of Burgeſſes to his Excy to lay Open the Lands in *Black water* Swamp and in *Pamonkey* Neck that Patents may iſſue to which they pray the Concurrence of the Council the Same being read.

Reſolved

That the Council do agree and concurr wth the Houſe in this Addreſs.

Ordered

That the Clk of the Generall Aſſembly carry the ſaid Addreſs to the Houſe and acquaint them that their Honors have agreed thereto

His

His Exᶜʸ Preſent

A Meſſage from the Burgeſſes to his Exᶜʸ by Coll *William Leigh* & others

May it Pleaſe yʳ Exᶜʸ

Wee are Comanded by yᵉ Houſe of Burgeſſes to acquaint yʳ Exᶜʸ that the Houſe have prepared an addreſs to yʳ Exᶜʸ in Anſwer to yʳ Exᶜʸˢ Speech and yᵉ ſevᴵˡ Meſſages Sent by yᵗ Exᶜʸ to yᵉ Houſe.

And pray that yʳ Exᶜʸ will be pleaſed to appoint a time to Receive the Houſe and their Speaker to Preſent the Same.

To wᶜʰ his Exᶜʸ replyed

Sʳ

Acquaint the Houſe that I expected to have received this meſſage ſome time agoe, and the ſooner the better.

The Speaker and the Houſe of Burgeſſes attending Mʳ *Speaker* expreſſed himſelve thus

May it Pleaſe yʳ Exᶜʸ

Wee his Majᵗⁱᵉˢ Loyall . . . . . [See J. of H. of B., pp. 298-9.]

May it Pleaſe Yʳ Excellency

Since prepareing . . . . . [See J. of H. of B., p. 300.]

The Reſolve of yeſterday that the Sum of Two hundred Eighty Three Pounds five ſhillings &cᵗ being read

Reſolved

That the Council Concurs wᵗʰ yᵉ Houſe in the aforeſaid, And that it be returned to yᵉ Houſe.

A Meſſage from yᵉ Burgeſſes by Coll *Miles Cary* and others who preſent this following reſolve.

7ᵇʳ yᵉ 12ᵗʰ 1701

By yᵉ Houſe of Burgeſſes

The Houſe haveing taken into Conſideracon a propoſition from his Exᶜʸ and the Council Yeſterday

Reſolved

That it is the Opinion of this Houſe

That it is neceſſary a Law be made directing what Charges ſhall be paid by yᵉ Publick and what ſhall be paid out of his Majᵗⁱᵉˢ Revenue

Ordᵈ That it be referred to yᵉ Comittee for reviſall of the Lawes to conſider the ſaid matter and prepare a Bill concerning the Same.

Wᵐ Randolph Cl H Burg.

His Exᶜʸ acquainting . . . . . [See J. of H. of B., p. 301.]

A Meſſage from the Burgeſſes to his Exᶜʸ and the Council by Coll *Wᵐ Leigh* and others who brought the following reſolve in anſwʳ to yᵉ aforeſaid propoſition

Wedneſday 7ᵇʳ 17ᵗʰ 1701

By the Houſe of Burgeſſes

Reſolved

That it is the Opinion of this Houſe

That it will be for his Majᵗⁱᵉˢ Service and yᵉ Intereſt of this Colony that his Majᵗⁱᵉˢ Ship yᵉ *Lyncoln* and his Majᵗⁱᵉˢ Ship the *Shoreham* be joyned together and to go in One ffleet.

Reſolved. That it is the Opinion of this Houſe

That it is proper to lay an Embargoe vpon all Ships Outward bound to Stay, and take Convoy under the aforeſaid Ships

Wᵐ Randolph Cl H: Burg.

Reſolved

That his Exᶜʸ and yᵉ Council Concurr wᵗʰ the Houſe in yᵉ above reſolve, and that an Ordʳ be drawn for that purpoſe to Stop the Ships & Veſſels bound for *England* untill yᵉ fifteenth of *October* next.

Councill adjourned till to Morrow Morning Nine of the Clock.

Thurſday

Thurſday 18th *Sept* 1701

Preſent

WM BYRD, *Edmd Jenings, John Lightfoot, Robert Carter, James Blair* Eſqrs

A Meſſage from the Burgeſſes by Coll *Wm Leigh* and others.

May it Pleaſe yr Honrs

Wee are comanded by the Houſe to waite vpon yr Honrs and to preſent an Addreſs drawn by the Houſe to His Moſt Sacred Majtie concerning ye mattrs relateing to *New York*, and they thereto pray yr Honrs concurrence.

Matt: Page Eſqr added

The Addreſs to his moſt Sacred Majtie read the firſt time and Ordered a Second reading.

A Meſſage from the Burgeſſes by Coll *Wm Leigh* and Others

May it Pleaſe Yr Honrs

Wee are Comanded by ye Houſe of Burgeſſes to waite vpon yr Honrs and to preſent an Addreſs made by ye Houſe to his Moſt Sacred Majtie wherein they repreſent to his Majtie that they have Appointed Mr *Wm Byrd* Jun. their Agent and they pray yr Honrs Concurrence thereto.

Council adjourned till to Morrow Morning Nine of ye Clock

Fryday ye 19th *Sept* 1701

Preſent

HIS Excy, *Wm Byrd, Edmd Jenings, John Lightfoot, Matt: Page, Robert Carter, James Blair* Eſqrs

A Meſſage from ye Burgeſſes by Mr *Robt Beverley* and Others.

May it Pleaſe yr Excy & Honrs

Wee are Comanded by the Houſe of Burgeſſes to lay before yr Excy & Honrs Mr *Treaſurer*s Accts and pray yr Excy & Honrs Concurrence

His Excy Abſent

A Meſſage from ye Burgeſſes by Coll *Miles Cary* and Others.

Wee are Comanded by the Houſe of Burgeſſes to waite vpon yr Honrs and to lay before you a Bill Entituled *An Act giveing further direccons in building ye Capitoll and for building a Publick Priſon.* Alſo a Bill continueing ye Acts Laying Impoſitions upon Liquors Servts and Slaves untill ye 25th *Decembr* 1703 to both which Bills they pray yr Honrs Concurrence

Wee are further Comanded to Acquaint yr Honrs that the Houſe have nothing more that now lies before them

Ordered

That ye Clk of ye Genll Aſſembly carry to the Houſe of Burgeſſes this following Meſſage in writeing

By the Council

Mr Speaker *& Gent. of ye Houſe of Burgeſſes*

The Council have . . . . . [See J. of H. of B., p. 303.]

His Excy Preſent

Ordered

That the Proceedings of his Excy and the Council heretofore had concerning fortificacons and the Securety and defence of this his Majties Colony be laid before ye Houſe of Burgeſſes and that they deliver their Opinion therevpon.

And alſo to acquaint the Houſe that his Excy does not find that the Houſe have made any direct Anſwr to ye Propoſition concerneing an Addreſs to be made to his Majtie that two Engeneers, or Fire Maſtrs well Skilled in Manageing Mortar Pieces Granades and all fire workes for Shipps in Warr may be ſent hither, and all materialls for that purpoſe, wth Granadeer & Dragoon Armes which his Excy Expects

His

His Exᶜʸ Abſent

A Meſſage from yᵉ Burgeſſes by Lᵗ Coll *Wᵐ Gough*.

An Anſwer to yᵉ Council Meſſage as followeth

Fryday 7ᵇʳ 19ᵗʰ 1701

By the Houſe of Burgeſſes

May it Pleaſe yʳ Honʳˢ

In anſwer to yʳ Honʳˢ Meſſage . . . . . [See J. of H. of B., p. 303.]

By the Houſe of Burgeſſes

Reſolved

That it is the Opinion of this Houſe that this Country is not of ability to build any fortificacõns and that if it were the benefit would not countervaile yᵉ Charge.

Wᵐ Randolph Cl H Burg.

Wedneſday 7ᵇʳ 3ᵈ 1701

By yᵉ Houſe of Burg.

Reſolved

That it is yᵉ Opinion of this Houſe vpon his Exᶜʸ fifth propoſition yᵗ this Countrey is not Able to pay the Charge of Engeeneers and fire Maſtʳˢ, or the materialls Suitable fore fire workes and fire Ships

Wᵐ Randolph Cl H: Burg.

Sepᵗ yᵉ 19ᵗʰ 1701

By the Houſe of Burgeſſes

Ordered

That a Copy of yᵉ Reſolve of this Houſe vpon his Exᶜʸ fifth propoſition be ſent as an anſwʳ to his Exᶜʸˢ meſſage this day and that his Exᶜʸ be acquainted that the Subject matter thereof was not willfully Omitted in oʳ Addreſs

Wᵐ Randolph Cl H Burg.

A Bill Entituled *an Act giveing further directions in building the Capitoll and for building a Publick Priſon* read the firſt time and Ordered a Second reading.

A Bill Continueing yᵉ Acts laying impoſitions vpon Liquors Servants, & Slaves untill yᵉ 25ᵗʰ of *Decembʳ* 1703 read the firſt time and Ordered a Second Reading.

Council adjourned till to Morrow Morning Nine of the Clock

Saturday Sepᵗ 20ᵗʰ 1701

Preſent

HIS Exᶜʸ, *Wᵐ Byrd, Edmᵈ Jenings, John Lightfoot, Matt Page, Robert Carter, James Blaire* Eſqʳᵉ

Ordered

That the Clk of yᵉ Genˡˡ Aſſembly doe acquaint the Houſe of Burgeſſes. That the Reſolve of yᵉ Houſe ſent Yeſterday (wherein they ſay, that this Country is not of Ability to build any fortificacõns, and that if it were the benefit would not countervaile the Charge) is not a full Anſwᵉ to the Meſſage ſent from his Exᶜʸ and the Council, which requires the Opinion of yᵉ Houſe Concerning a Naval force. Whether that is any Securety and defence to this Country as well as concerning Land fortificacõns both which were contained in the Paper then ſent to the Houſe.

And alſo acquaint the Houſe that the Ordʳ of the Houſe Yeſterday concerning his Exᶜʸˢ fifth propoſition is not fully Anſwered, for that propoſition never intended that they ſhould come in at yᵉ Country Charge. But that the Houſe might Joyne in an Humble Addreſs to his Majᵗⁱᵉ That two Engeneers or fire Maſtʳˢ for warr may be ſent hither, with all Materialls for that purpoſe wᵗʰ Granadeer Armes. And as in another Paper laid before the Houſe Hand Mortars and Granadees ſuitable and fitt for them wᵗʰ piſtoll powder and piſtoll bullets all which is by his Exᶜʸ and the Council thought to be much for his Majᵗⁱᵉˢ Service and Intereſt and the Safety and Securety of this Country—

Council Adjourned till *Munday* Morning Nine of the Clock.

Munday

Munday Sept 22d 1701

Prefent

WM BYRD, *Edmd Jennings, Robert Carter, James Blair* Eſqrs

Ordered

That ye Clk of ye Genll Aſſembly do go to ye Houſe of Burgeſſes and Comand their attendance vpon his Excy in Council

Burgeſſes Attend

His Excy Expreſſed himſelve thus

Mr Speaker *and Gentlemen of yr Houſe of Burg*

Yr Reſolve of ye 17th *inſt* . . . . . [See J. of H. of B., pp. 304-6.]

Ordered

That the Meſſage prepared on *Saturday* laſt be ſent to ye Houſe of Burgeſſes, be delivered into ye Houſe to Morrow Morning

Council Adjourned till to Morrow Morning Nine of the Clock

Tueſday 23d *Sept* 1701

Prefent

WM BYRD, *Edmd Jenings, Robert Carter, James Blair* Eſqrs

A Bill Entituled *an Act giveing further directions in building the Capitoll & for building a Publick Priſon* read ye Second time & Comitted for Amendments.

A Bill Continueing ye Acts laying impoſition vpon Liquors Servants and Slaves untill the 25th *December* 1703 read the Second time and Ordered a third Reading.

A Bill Entituled *An Act for Quieting yr Poſſeſſion of ſeverall Perſons ſeated wthin yr bounds of yr Land Laid out for yr* Pamunkey *Indians* agreed to by the Council and Ordered that the Bill do Paſs.

Council adjourned till to Morrow Morning Nine of the Clock

Wedneſday 24th *Sept* 1701

Prſent

HIS Excy, *Wm Byrd, Edmd Jenings, Robert Carter, James Blair* Eſqrs

A Meſſage from the Houſe of Burgeſſes by Coll *Miles Cary* and Others.

May it Pleaſe Yr Excy

Wee are Comanded by ye Houſe to waite vpon yr Excy & to acquaint yr Excy yt ye houſe have prepared an Addreſs and deſire to know when yr Excy will pleaſe to Appoint a time to have the Same preſented.

To wch his Excy replyed, now if they pleaſe

The Speaker and the Houſe of Burg. attending vpon his Excy & ye Council in ye Council Chamber.

The Speaker Expreſſed himſelve thus

May it Pleaſe Yr Excy

Wee his Majties . . . . . [See J. of H. of B., pp. 307-8.]

To wch his Excy expreſſed himſelfe Thus.

Gentlemen

You have in ye Latter part of yor Addreſs tyed me Up from Anſwearing to ye premiſes till I ſee ye Bill therein Menc̃oned, wch you ſay ſhall be diſpatched wth all Expedic̃on But you muſt give me leave to make this Obſervacion that as concerning the Character you give of my Valour & Conduct as you are pleaſed to terme it, I ſhall By Gods Aſſiſtance) as Long as I continue in this Station, make it my Study and Endeavours to Merrit that High Character.

And

And perceiveing that noe Arguements or reaſons will convince you but Ocular demonſtracons, I hope if Such a thing Should happen that this Country (wch God forbid) Should be Invaded by ye *ffrench* I ſhall have ye Honr to fight in the Head of You.

24th *Sept*r 1701

A Bill Continueing ye Acts laying Impoſition Upon Liquors, Servants and Slaves, Untill ye 25th of *December* 1703. Read the Third Time and Agreed to by the Council.

Reſolved That ye bill doe Paſs.

Ordered

That ye Clerk of ye Genll Aſſembly doe Carry ye Said bill to ye Houſe of Burgeſſes and Acquaint them that ye Council have conſented thereto wthout Any Amendment.

A Bill Entituled *an Act Giveing further directions in Building y*e *Capitoll and for building a Publick Priſon* Read the third time wth ye Amendmts

Reſolved

That ye Bill wth ye Amendmts doe Paſs

Ordered

That ye Clerk of ye Genll Aſſembly doe Carry ye Sd Bills to ye Houſe of Burgeſſes and Acqt them that ye Council have Agreed thereto wth ſome Amendmts which they herewith Send and deſire the Concurrence of the Houſe.

Ordered. That ye Clerk of the Genll Aſſembly carry to the Houſe of Burgeſſes ye Bill Entituled *An Act For Quietting y*e *Poſſeſcon of Sevll perſons Seated wthin the bounds of y*e *Land laid out for y*e Pomonkey *Indians*, and Acqt them that ye Council have Agreed thereto wthout Any Amendments.

Coll: *Carter*s Accotts Aſſented to by his Excy And the Council.

Ordered

That ye Clerk of the Genll Aſſembly doe Carry to the Houſe of Burgeſſes (*Vizt*)

That ye Council have now Under their Conſideration the two Addreſſes Made by the Houſe of Burgeſſes to his Moſt Sacred Majtie Dated the 18th *Inſtant* both wch they Pray ye Councils Concurrence.

The Council deſired an Imediate Free Conferrence may be thereupon had by three of their Members, wth Such a Convenient Number of ye Burgeſſes as the Houſe Shall think fit to be held in the Council Chamber it being in their Apprehencon the Shorteſt Way to come to a Concluſion in thoſe Affaires

Ordered

That *Edmd Jenings* Eſqr *Robert Carter* Eſqr & the Reverend *James Blair* Eſqrs Manage the Conferrence.

A Meſſage by Coll: *Leigh* and Others from ye Houſe of Burgeſſes.

Jonathan Gladman and *Henry Forty* their petition laid before ye Houſe of Burgeſſes.

The Clauſe of Governr *Blackiſtone* Lettr reffered by his Excy to ye Houſe of Burgeſſes.

A Meſſage from ye Houſe of Burgeſſes by Coll: *Wm Leigh* and Others.

Wee are Comanded by ye Houſe to waite Upon Your Honrs & to preſent a Bill Entituled *an Act for Levying And Armeing an Effectual force in time of Danger*, And thereto pray yor Honrs Concurrence.

Read the firſt time and Ordered a Second Reading

Wee are further Comanded to Acqt Yor Honrs that wee have Comunicated to ye Houſe what yor Honrs were pleaſed to ſay Unto us in ye Conferrence concerning ye Addreſſes to his Moſt Sacred Majtie and Are Comanded to Acqt Yor Honrs that ye former Reſolve of ye Houſe being that ye Addreſs to his Majtie Should Containe all Neceſſary Matter the Houſe cannot reſide [recede] from it

Council Adjourn'd till to Morrow Morning Nine of the Clock.

Thurſday

Thurſday 25th *Sept* 1701

Preſent

WM BYRD, *Edmd Jenings, Robert Carter, James Blair* Eſqrs

A Bill Entituled *an Act giveing further directions in Building ye Capitol and for Building a Publick Priſon* Agreed to wth ye Amendmts

Ordered

That ye Clerk of ye Genll Aſſembly returne ye Sd bill to ye Houſe of Burgeſſes and Acqt them therewith.

His Excy Preſent

A Meſſage from ye Houſe of Burgeſſes to his Excy and the Council by Capt *Harriſon* and others

May it pleaſe Yor Excy

I am Comanded by ye Houſe to waite Upon Yor Excy and to preſent yor Excy wth a Meſſage wth a reſolve of ye Houſe in Anſwear to yor Excys Speech, concerning yor Excys fifth propoſicon.

I am alſo Comanded to preſent yor Excy wth a Reſolve of ye Houſe in Anſwear to yor Excys Meſſage concerning a Navall force.

Ordered

That ye Clerk of ye Genll Aſſembly Acqt the Houſe of Burgeſſes that ye Gentlemen of ye Council who Yeſterday held a Conferrence wth ſome of ye Members of ye Houſe of Burgeſſes, deſire that ye Conferrence may be now forthwith continued upon ye Same Subject in ye Same place.

His Excy Abſent

Edmd Jenings Eſqr from ye Conferrence wth the Burgeſſes mad report that Upon Conferrence wth the Burgeſſes Upon ye Addreſs to ye King, they had come to a reſolucon of Makeing Sevll Amendmts and ye Same were comited to be drawne againſt to Morrow Morning, According to ye Reſolve by ye Honble *Robt Carter* Eſqr and ye Revd *James Blair* Eſqr

And He further Made report that ye Council had Agreed to ye Addreſs concerning ye Agent.

Council Adjourned till to Morrow Morning Nine of ye Clock.

Fryday ye 26th *Sept* 1701

WM BYRD, *Edmd Jening, Robert Carter, James Blair* Eſqrs

A Meſſage from ye houſe of Burgeſſes by Capt *Jos: ffofter* and Others who preſent ye following Meſſage

ffryday 26th *Sept* 1701

By ye Houſe of Burgeſſes

May it pleaſe Yor Honrs

Wee have noe Manner . . . . . [See J. of H. of B., p. 311.]

A Bill Entituled *an Act for ye Leavying and Arming an Effectual force in time of danger* Read the Second time and Comitted for Amendments to *Edmund Jening* Eſqr

Ordered

That ye Clerk of ye Genll Aſſembly Acqt ye Houſe of Burgeſſes, that ye Council have now ye Book of Claimes and [after] their conſideracon deſires ye Houſe to Send them all ye papers relateing to ye Claimes of *Wm Holt, Richard Faſſaker & Samll Todd* of *Stafford* County

Ordered

That ye Clerk of ye Genll Aſſembly carry this following reſolve to ye Houſe of Burgeſſes

Reſolved

That ye Sevll proceedings of ye Houſe of Burgeſſes concerning *Black Water & Pomonkey* Neck Lands be Agreed to Except only the laſt Clauſe in Page ye Sixth and ye Reſolve thereupon

thereupon in Page Seaventh wch wee take to be a diviſion in Matter of Right and not heareing any of ye Arguemte Uſed and laid downe cannot determine that Poynt, and therefore propoſe that they be Expunged.

Ordered

That ye Clerk of ye Genll Aſſembly acqt The Houſe of Burgeſſes that ye Council Aſſent to ye Book of Claimes, Provided the Sum of One hundred forty Six pound Eight Shillings and three pence *Sterl:* formerly laid before the Houſe, Paid by Mr *Auditer* for Sevll Diſburſmts and the Sum of Sixty three pounds *Sterl:* paid to Mr *Henry Tyler*, for Sixty Three Acre of Land Adjoyneing to ye City of *Williamſburgh* to ye Lots Aſſigned for the Governre Houſe to be thereunto added,

Ordered

That ye Clerk of ye Genll Aſſembly Acqt ye Houſe of Burgeſſes that ye Reſolve of ye Houſe of ye Third, fifth & Ninth of *Sept* 1701. Relateing to ye Reviſal of ye Lawes Are Agreed to wth this Addition that in Caſe either of ye Aſſiſtants or Clerk Should happen to dye, or be uncapable to perform And finiſh ye Same, that then he be conſidered & paid proporc̃onably for ye Service he has done & yt Whoſoever Shall funiſh ye Same ſhall be Allowed and paid ye Remainder.

The Council being very Sencably that *Robert Paſley* is not Capable nor Able to diſcharge ye Office of Interpreter to ye *Pomonkey* Indians, And they not knowing Any fit for that Service, propoſes ye Houſe of Burgeſſes to Nominate one wch they think fit to performe it, if they think there is any Neceſſaty for Such a One.

A Meſſage by Capt *Harriſon* from ye Houſe of Burgeſſes

May it pleaſe Yor Honrs

I Am Comanded by ye Houſe to Acqt Yor Honrs that ye Houſe have Agree'd to yor Honrs Addition made to ye Reſolve of ye Houſe concerning Allowances to ye Reviſall and Accordingly Added ye Same.

Ordered

That ye ſame be Agree'd to by ye Council and returne to ye Houſe of Burgeſſes.

I am Alſo Comanded by ye Houſe to Acqt Yor Honrs that ye Houſe cannot Agree to ye two Artickles propoſed by yor Honrs of One hundred forty Six pounds Eight Shillings & three pence, and Sixty three pounds and pray that yor Honrs will pleaſe to paſs Without

Council Adjourned till to Morrow Morning Nine of ye Clock.

Satterday 27th *Sept* 1701.

Preſent

WM *BYRD, Edmd Jenings, Robt Carter, James Blair* Eſqrs

A Meſſage to ye Council by Coll *Wm Leigh* and Others from ye Hous of Burgeſſes.

Who preſent ye following Reſolve

Sept 27th 1701.

By ye Houſe of Burgeſſes

In Anſwear to yor Honrs Meſſage . . . . . [See J. of H. of B., pp. 316-7.]

A Meſſage to ye Council by Lt Coll: *Miles Cary* & Others from ye Houſe of Burgeſſes.

May it Pleaſe Yor Honrs

Wee are Comanded by ye Houſe of Burgeſſes to Acqt Yor Honrs that ye Houſe have Agreed to ye Amendmts made by yor Honrs to ye Addreſs to his Sacred Majtie Concerning ye Buiſſineſs of *New York*, and have Ordered ye Same to be drawn ffaire.

Saturday Sept 27th 1701.

By ye Houſe of Burgeſſes

Reſolved and Accordingly Ordered

That Mr *Treaſurer* out of ye Monys in his hands for ye Impoſitions of Liquors by ye firſt Conveniency remitt unto Mr *Wm Byrd* our Agent in *England* ye Sum of Three hundred pound

pound *Sterl:* to be Imployed and made Uſe of as Occaſion requires in Solliſiting our Addreſs to his Majᵗˡᵉ and in Carrying on the buiſſineſs of yᵉ Agency Comitted to his Charge

Wᵐ Randolph Cl H Burg:

Ordered

That yᵉ Clerk of yᵉ Genᴵˡ Aſſembly carry this Meſſage to yᵉ Houſe of Burgeſſes (*Viz*ᵗ)

By the Council 27ᵗʰ Sepᵗ 1701.

Mʳ Speaker *and Gentlemen of yᵉ Houſe of Burgeſſes*

Wee have yoʳ Anſwear . . . . . [See J. of H. of B., pp. 321-2.]

Saturday 27ᵗʰ Septem 1701.

By yᵉ Houſe of Burgeſſes

Reſolved

That this Houſe doth adhere to yᵉ laſt of their Reſolves Concerning *Black Water* and *Pomonkey* Neck Lands, for yᵉ dividing Six Thouſand one hundred Sixty Acres of Land between *John Buckner* and *Chichely Corbin Thacker.*

Ordered

That a Copy of this Reſolve be carryed to yᵉ Council and their Honʳˢ be deſired to paſs all the Reſolves Relateing to *Black Water* and *Pomonkey* Neck Land wᵗʰout Any further refference.

Wᵐ Randolph Cl: H Burg:

Ordered That yᵉ Clerke of yᵉ Genᴵˡ Aſſembly goe to yᵉ Houſe of Burgeſſes and Acqᵗ that his Exᶜʸ Comands the Imediate Attendance of the Houſe.

The Houſe Attending.

His Exᶜʸ Expreſſed himſelfe Thus.

Gentlemen

I am heartily Sorry . . . . . [See J. of H. of B., pp. 318-21.]

His Exᶜʸ Abſent

Ordered

That yᵉ Clerk of yᵉ Genᴵˡ Aſſembly Acqᵗ yᵉ Houſe of Burgeſſes That,

Whereas a Bill hath been prepared this Seſſion of Aſſembly, Entituled *an Act for yᵉ more Effectuall Apprehending and Outlying Negroe who hath Comitted divers Robberies and Offences*, wᶜʰ Negroe is Since come in and Surrendered himſelfe and is now here in yᵉ Cuſtody of yᵉ Sheriff of *James City* County,

The Same is recomended to yᵉ houſe of Burgeſſes for their Opinion what is to be done wᵗʰ him.

A Meſſage from yᵉ houſe of Burgeſſes to his Exᶜʸ and yᵉ Council by Mʳ *Gideon Macon* & Others.

May it pleaſe Yoʳ Exᶜʸ and Honʳˢ

Wee are Comanded by yᵉ houſe to returne this Anſwear to yoʳ Exᶜʸ and Honʳᵉ Meſſage concerning the Negroe

Saturday 7ᵇᵉʳ 27ᵗʰ 1701.

By the Houſe of Burgeſſes

Reſolved

That it is yᵉ Opinion of this Houſe that if one bill wᶜʰ hath paſſed yᵉ Council and Burgeſſes this Seſſion, Entituled *an Act for yᵉ More Effectuall Apprehending an Outlying Negroe who hath Comitted divers Robberies & Offences*, be Aſſented to by his Exᶜʸ it doth Sufficiently provide & direct what Shall be done wᵗʰ yᵉ Sᵈ Negroe.

Council Adjourn'd till *Munday* Morning Nine of yᵉ Clock.

Munday

Munday 29th *Sept* 1701

Preſent

HIS Exᶜʸ, *Wᵐ Byrd, Edmᵈ Jenings, Robᵗ Carter, James Blair* Eſqʳᵉ

Ordered

That yᵉ Clerke of yᵉ Genˡˡ Aſſembly Acqᵗ the Houſe of Burgeſſes that his Exᶜʸ Comands yᵉ Imediate Attendance of yᵉ Whole Houſe Upon his Exᶜʸ in the Council Chamber, and to bring with them wᵗ Bills they have ready prepared for his Exᶜʸ to paſs.

A Meſſage from yᵉ Houſe of Burgeſſes by Mʳ *Weſtcomb* and Others Who broughtt to yᵉ Council,

An Engroſſed Bill Entituled *An Act for yᵉ More Apprehending an Outlying Negroe who hath Comitted Divers Robberies and Offences.*

An Engroſſed Bill Entituled *an Act giveing power to yᵉ Sheriffs Attending yᵉ Genˡˡ Courts to Sumon Jurors & Evidences wᵗʰin yᵉ City of* WilliamſBourgh *and halfe a Mile Round yᵉ Same.*

An Engroſſed Bill Entituled *an Act for yᵉ better Strengthening the ffrontiers, and diſcovering yᵉ Approaches of an Enimy.*

Which were all Read and Compared wᵗʰ yᵉ Originalls and found Agreeable thereunto.

The Houſe of Burgeſſes Attending his Exᶜʸ—

Mʳ *Speaker* Expreſſed himſelfe Thus

May it pleaſe Yoʳ Exᶜʸ

Wee his Majᵗⁱᵉˢ Moſt Loyall and Dutifull Subjects The Burgeſſes, In Obedience to yoʳ Exᶜʸˢ Command do now Attend Yoʳ Exᶜʸ and Preſent to yoʳ Exᶜʸ Three Bills Aſſented to by his Majᵗⁱᵉˢ Honᵇˡᵉ Council this Seſſion of Aſſembly, And to Submit to yoʳ Exᶜʸˢ prudence for Approbation and they are.

(1) *An Act for yᵉ better Strengthening yᵉ ffrontiers and diſcovering yᵉ Approaches of an Enimy,*

(2) *An Act for yᵉ more Effectual Apprehending an Outlying Negroe, Who hath comitted divers Robberies and Offences,*

(3) *An Act Giveing Power to yᵉ Sheriffs Attending the Genˡˡ Courts to Sumons Juſors and Evidences wᵗʰin the City of* Williamſburgh, *and a half a Mile Round yᵉ Same*

To all wᶜʰ Aforeſᵈ Acts his Exᶜʸ was Pleaſed to give his Aſſent, And yᵉ Same were Signed by his Exᶜʸ and Mʳ *Speaker.*

After wᶜʰ His Exᶜʸ Expreſſed himſelfe to yᵉ Houſe of Burgeſſes Thus.

Gentlemen

I hope in God . . . . . [See J. of H. of B., p. 323.]

A Meſſage from yᵉ Burgeſſes to his Exᶜʸ by Mʳ *Miles Cary* and Others.

May it pleaſe yoʳ Exᶜʸ

Wee are Comanded by yᵉ Houſe of Burgeſſes to Acqᵗ yoʳ Exᶜʸ that yᵉ Houſe have prepared an Addreſs to yoʳ Exᶜʸ And pray to know the time when yᵉ Houſe wᵗʰ their Speaker may Attend yoʳ Exᶜʸ to Preſent it.

His Exᶜʸ Anſweared, now if they Pleaſe

The Houſe attending Mʳ *Speaker* Expreſſed himſelfe Thus

May it Pleaſe Yoʳ Exᶜʸ

Wee his Majᵗⁱᵉˢ Moſt Loyall . . . . . [See J. of H. of B., pp. 324-5.]

Meſſage by Mʳ *Beverly* and Others who pʳſent yᵉ following Reſolve, concerning yᵉ Bill for Levying & Arming an Effectual force in time of Danger.

By the Houſe of Burgeſſes.

Munday Sept 29th 1701.

In Anſwer to yoʳ Honʳᵉ Meſſage . . . . . [See J. of H. of B., pp. 323-4.]

By the Houſe of Burgeſſes

Reſolved

That yᵉ Houſe doth Agree to joyne wᵗʰ a Comittee of yᵉ Council to ſee what hath been done wᵗʰ his Majᵗⁱᵉˢ Governmᵗ of *New Yorke* and the five Nations of Indians.

Wᵐ Randolph Cl: Ho: Burg:

Edmᵈ

Edm^d Jenings Esqr *Robt Carter* Esqr and the Revd *James Blair* to Manage ye Comittee. *Ordered.*

That ye Clerk of ye Gen^ll Assembly acq^t ye House of Burgesses, that Three of ye Honble Council are Appointed to joyne in a Comittee wth a Convenient Number of ye House of Burgesses to make Search and Inquiry what hath been done in his Maj^ties Governm^t of *New York* and the five Nations of Indians Imediately in ye Council Chamber.

And Also that ye Council desire a Conferrence Upon ye Subject Matter of ye Bill Entituled *An Act for Levying and Arming an Effectual force in time of danger*, Upon their Amendments Made thereto; and yor Answear thereupon, by three of ye Council wth a Convenient Number Of the Burgesses forthw^th in ye Council Chamber

Also a Conferrence upon ye Book of Claimes.

Message to the Council by Mr *Cary* & Others, to Acq^t their Hon^rs that they were Appointed by the House of Burgesses in Answear to yor Hon^rs Message to Conffer wth their Hon^rs About ye Book of Claimes.

Message to ye Council by Mr *Beverly* and Others to Acq^t their Hon^rs that they were appoynted by the House of Burgesses pursuant to their Hon^rs Message to joyne in a Comittee to Serch and Inquire what hath been done in his Maj^ties Governm^t of *New York* and wth the ffive Nation of Indians.

Message to ye Council by Mr *Bland* and Others to acq^t their Hon^rs that they were Appointed by ye House of Burgesses, pursuant to their Hon^rs Message to joyn in a Confferance About a Bill Entitulled *an Act for Levying and Arming an Effectuall force in time of Danger.*

Tuesday Ult: Sept 1701.

Present

WM BYRD, Edm^d Jenings, Robert Carter, James Blair Esq^rs

The Honble *Edm^d Jenings* Esqr from ye Committee Acq^t ye House that they had Acquainted the Gentl^mn of ye House of Burgesses, wth all ye Matters relateing to ye Artickles of Agreem^t Made wth the five Nations of Indians at *Albany*, wth the proceedings of Govern^r *ffletcher* the Lords Justices Instructions thereto relateing, And that they replyed they would Acq^t ye House wth it.

And from ye Conferrance Upon ye Bill Entituled *an Act for Levying and Armeing an Effectual force In time of danger*, that they had laid downe all the Arguements and reasons they could for Expungeing the Clause as menc̃oned in ye Amendm^ts: they Answeared, they had Only Comic̃on to hear our reasons for ye Expungeing of it, and would report it to ye House.

And from ye Conferrence Upon ye Claimes, that they had given all ye reasons they could frame to Induce ye Burgesses, to Allow the two Articles, they Answered the House had resolved it was no Country Charge, that they were of Oppinion it was time Enough to purchase Land Adjoyneing, when they went About Building ye House, that when ye Towne was Built, they might find Land in ye Town.

About ye Charge to ye Pyrates, some was for Other Uses, and Upon the Whole they thought it noe Country Charge.

By His Ex^cy

Ordered

That ye Clerk of ye Gen^ll Assembly Acq^t ye House of Burgesses, w^t his Ex^cy recomends to ye House to Send forthwith to his Ex^cy and the Council the Order (mentioned in their Addresses of Yesterday) y^t ye Trustees of ye City of *WilliamsBurgh* doe wth all Expedic̃on Make a Tender of ye Mony due to Each proprietor concerned in ye S^d Land taken Up for ye S^d City &c^t that it may pass by his Ex^cy and the Council,

Resolved

Upon further Considerac̃on had of ye Two last Clauses of ye resolves of ye House of Burgesses Page Six & Seven concerning *Black Water* & *Pomonkey* Neck Lands, and ye proceeding

proceeding of ye Affembly *Anõ* 1699 thereto relateing and finding ye S^d^ Affembly had Adjudged Two Thoufand Acres to ye S^d^ *Mallory* and Three Thoufand Five hundred to *Chickly Corbin Thacker*, The Council Confents & Concurrs to ye S^d^ Refolves, this Clauſe being Added to ye End of ye S^d^ Refolve.

Ordered That ye Clerk of ye Gen^ll^ Affembly acq^t^ the Houſe of Burgeſſes wth this Refolve.

Ordered

That the Clerk of ye Gen^ll^ Affembly acq^t^ ye Houſe of Burgeſſes, that his Ex^cy^ cannot be of their Opinion that ye Sum̃ of Sixty three pounds for ye purchaſe of Sixty three Acres of Land &c^t^ and the Sum̃ of One hundred forty Six Pounds five Shillings & three pence Paid by Mr Auditor *Byrd* for Sev^ll^ diſburſm^ts^ &c^t^ for it is his Ex^cy^ Opinion y^e^ ſame is as much a Country Charge as any within the Book of Claimes, and therefore inſiſts that theſe be ſome way or other Sattisfied by the Publick & if he did not doe ſoe, ſhould Judge himſelfe Guilty of Unfaithfullneſs to his moſt Sacred Majeſtie.

By the Council

*M^r^* Speaker *& Gentl of ye Houſe of Burgeſſes*

Wee have before us . . . . [See J. of H. of B., p. 327, line 28.]

By ye Hon^bl^ Council

*M^r^* Speaker *& Gentl of ye Houſe of Burgeſſes*

Wee hope for ye reaſons . . . . . [See J. of H. of B., p. 327, line 15.]

Ordered.

That ye Clerk of ye Gen^ll^ Affembly acq^t^ ye Houſe wth this Meſſage.

*By His Ex^cy^*

Ordered

That ye Clerk of ye Gen^ll^ Affembly acq^t^ the Houſe of Burgeſſes that his Ex^cy^ thinks . . . . . [See J. of H. of B., p. 327, line 37.]

A Meſſage to his Ex^cy^ by Mr *Beverly* and Others

*May it pleaſe yor Ex^cy^*

Wee are Comanded by ye houſe of Burgeſſes to return an Anſwear to yor Ex^cy^s Meſſage, concerning joyning in a Comittee wth ye Council to Conſider w^t^ is proper to be write to ye Govern^r^ of *New Yorke* and to preſent this reſolve in Anſwear.

*Tueſday Sep^t^* 30th 1701.

By ye Houſe of Burgeſſes

Reſolved Nemine Contra dicente

That it is ye Opinion of this Houſe

That it is noe Concerne of this houſe to Coñunicate their proceedings to ye Govern-m^t^ of *New Yorke* upon his Maj^ties^ Royall Letter of ye 19th *Jan^ry^* 1701. and therefore they Humbly deſire to be Excuſed that they Cannot Agree to joyne in a Committee wth ye Council According to his Ex^cy^s propoſalls for Conſi-ring [conſidering] what is proper to be writt to that Governm^t^

Peter Beverly Speaker

Alſo he preſented an Order About ye Money to be paid to ye Propriet^rs^ of ye Land taken Up for ye City of *Williamſburgh*

*Tueſday Sep^t^* 30th 1701.

By ye Houſe of Burgeſſes

Ordered

That a Conferrence be deſired wth ye Council concerning Suitable Inſtructions on a Lett^r^ to ye Agent

Wm Randolph Cl: H Burg:

*By his Ex^cy^*

Upon which his Ex^cy^ Coñanded ye Clerk of ye Gen^ll^ Affembly to write downe that Since his Ex^cy^ had Sent to ye Houſe a Meſſage to deſire them to joyne in a Comittee wth ye Council to Conſider what is proper to be write to ye Governer of *New Yorke* in relacon of

of his Majtie⁸ Lett^r of ye 19th *Jan^ry* 1701. Concerning the Nine hundred pounds and a Quota of Men &c^t wch Comittee they refuſe⁸ his Ex^cy therefore thinks it not for his Maj^tie⁸ Service and Intereſt for ye Council to joyn in a Conferrence wth ye Burgeſſes concerning Suitable Inſtructions and a Letter to their Agent but ye Quite Contrary haveing Already Agree'd to an Addreſs.

Tueſday Sep^t 30th 1701.

By the Houſe of Burgeſſes

Reſolved

That ye Houſe do not Agree to Any of ye Propoſic̃ons of ye Council at ye Conferrence to ye Amendm^ts of ye Bill Entituled *An Act for Levying and Arming an Effectual force in time of danger.*

Wm Randolph Cl: H Burgeſſes

Ordered

That a Copie of ye S^d Reſolve be Sent to ye Council and y^t their Hon^rs be deſired to paſs ye bill wth Such Amendments, Only as ye Houſe hath Agreed to.

Wm Randolph Cl: H Burg:

By the Honble Council

Reſolved

The Council doe inſiſt upon their Amendm^ts Made to ye Bill Entituled *An Act for Levying and Arming An Effectuall force in time of Danger*, and deſire ye Houſe to Agree thereunto.

The Council Conſents to ye Ord^r of ye Houſe of Burgeſſes About ye Mony to be paid to ye Proprietors of ye Land taken Up for ye City of *WilliamBurgh.*

Meſſage from ye Houſe of Burgeſſes by Mr *Beverley* & Others to deſire ye Councils Conſent to ye Reſolves of ye Houſe of Burgeſſes concerning *Blackwater* and *Pomonkey* Neck Lands.

Reſolves of ye Houſe of Burgeſſes concerning *Black Water & Pomonkey* Neck Lands Agreed to by ye Council, and Ordered to be remitted to ye Houſe;

To his Ex^cy Francis Nicholſon *Eſq^r his Maj^ties L^t and Governer Gen^ll of* Virginia.

May it Pleaſe Yo^r Ex^cy

Haveing now before us ye Meſſage of ye Houſe of Burg: of this day wherein they deſire a Conferrence wth us concerning Suitable Inſtructions & a Letter to ye Agent And yor Ex^cy haveing Cauſed an Entry to be made on ye Journall, wherein yor Ex^cy Signifies y^t Since yor Ex^cy had Sent to ye Houſe a Meſſage, to deſire them to joyne in a Committee wth ye Council to Conſider what is proper to be writt to ye Govern^r of *New York* in relation to his Maj^ties Lett^r of ye 19th *Jan^ry* 1701. Concerning ye Nine hundred pounds and a Quota of Men &c^t wch Committee they refuſeing Yo^r Ex^cy therefore thinks it not for his Maj^ties Service and Intereſt, for ye Council to joyne in a Conferrence wth the Burgeſſes, concerning Suitable Inſtructions, & a Letter to their Agent, but ye Quite Contrary, the Council haveing Already Agreed to an Addreſs.

Upon Conſideracon whereof wee humbly begg Leave to repreſent to yor Ex^cy That we are Already ſoe farr Engaged in ye Said Affaire of ye Agent, wth ye Houſe of Burgeſſes that wee have not Only Agreed to ye Nomination of him and to an Addreſs to his Moſt Sacred Maj^tie For ye Admitting him as Such, And to Another Addreſs to be by him preſented to his Maj^tie in anſwear to his Maj^ties Letter concerning ye Affaire of *New York* but Alſoe have promiſed in Conferrence to joyne wth the Houſe of Burgeſſes in drawing Inſtruction for ye S^d Agent, & therefore cannot Conceive how we can now reced w^thout tranſgreſſing ye Rules of Aſſemblyes and ſoe hazarding a Breach wth ye Houſe of Burgeſſes, wch wee humbly conceive would be both to his Maj^ties Your Ex^cy⁸ and ye Countryes Diſervice.

And therefore humbly pray Yo^r Ex^cy to Entertaine a favourable Opinion of us if wee proceed to Comply wth our former Reſolves & promiſes to ye Houſe of Burgeſſes in that Matter Aſſureing yor Ex^cy that wee will take Speciall Care to Admitt of no Inſtruction to ye Said Agent, that may in ye leaſt derogate from his Maj^ties Service or Intereſt, and the due reſpects wee Owe to yor Ex^cy⁸ Perſon & Charter [Character?]

Sep^t ye 30th 1701.

By Order of ye Council

Dionyſius Wright: Cl: Gen^ll Aſſembly

Wedneſday

Wedneſday Prym° October 1701.

Preſent

WM BYRD, *Edm^d Jenings, Robert Carter, James Blair* Eſq^rs

The Reſolve of ye Houſe of Burgeſſes of ye 17th of *Sep^t* laſt paſt in their Addreſs to his Ex^cy, on ye back Side of ye Addreſs of ye 16th *Sep^r* laſt paſt Agreed to by ye Council and Ordered to be returned to ye Houſe,

Meſſage from ye Houſe of Burgeſſes to ye Council by Lt Coll *Miles Cary* and Others.

May it pleaſe yor Hon^rs

Wee are Comanded by ye Houſe to deliver to yor Hon^rs this Meſſage

By the Houſe of Burgeſſes

May it Pleaſe yor Hon^rs

Haveing Spent . . . . . [See J. of H. of B., p. 328.]

By his Ex^cy

Upon that part . . . . . [See J. of H. of B., p. 329.]

Ordered That ye Clerk of ye Gen^ll Aſſembly Acq^t ye Houſe of Burgeſſes that his Ex^cy comands them to ſend all ye Reſolves & Ordinances of Aſſembly that hath paſſed ye Council & ye Houſe of Burgeſſes this Seſſion that they may receive ye Aſſent of his Ex^cy:

His Ex^cy hath Alſo ſent to ye Houſe of Burgeſſes for their peruſuall of his Ex^cys Comands, to ye Honble *Wm Byrd* Eſq^r Colonel & Comander in Cheife of all ye Militia Horſe & Foot in ye Counties of *Hnrico* & *Charles Citty* wch his Ex^cy Intends,

Alſoe to ſend to y^e ſev^ll Colonels & Comanders in Cheif of ye Reſpective Counties in this Colony.

By his Ex^cy

Ordered

That ye Clerke of ye Gen^ll Aſſembly acq^t ye houſe of Burgeſſes that Upon Conſideration of their Addreſs of ye 29th *Sep^t* laſt paſt relateing to ye alterat^n of Counties & Parriſhes, His Ex^cy is abſolutely of ye Opinion that if ſome ſpeedy Method be not taken that Each parriſh may be Able to Maintaine a Miniſter themſelves, it will be a very great Encouragem^t to Irreligion, Profanes, if not Atheiſm, And as to ye Counties his Ex^cy Suppoſes ye Small ones will find it an Aggrievance by this Years Counties Levy, & that ye Houſe Cannot be Unſencable how, unequall & Unproportionall ye Counties are in this Neck betwixt *James* River and *York* River.

By His Ex^cy

Ordered

That ye Clerk of ye Gen^ll Aſſembly Acq^t the Houſe of Burgeſſes, That his Ex^cy is very willing and deſireous that ye Book of Claimes ſhould paſs and Every one to be fully Sattisfied but in reſpect y^t his Ex^cy finds y^t his Meſſage of Yeſterday to ye Houſe of Burgeſſes (wherein he delivers his Opinion y^t ye Sum of Sixty three pounds *Sterl:* and ye Sum of One hundred forty Six pounds Eight Shillings and three pence *Sterl:* menc̃oned in ye S^d Meſſage is as much a Country Charge as Any w^thin ye Book of Claimes) is not yett Anſweared by the Houſe, he cannot in Duty to his Moſt Sacred Maj^tie paſs ye Levy Act but propoſes this Expedient, that Since it is ye Opinion of ye Houſe that ye Same is not a Country Charge, & the Opinion of his Ex^cy & ye Council that it is a Country Charge the mony be now diſpoſited in ye hands of Mr *Treaſurer* and his Maj^tie to determine ye Poynt in Queſtion wch Expedient being Agreed to ye Book of Claimes ſhall Imediately be returned.

Meſſage to his Ex^cy by Mr *Harriſon* & Others

May it pleaſe yor Ex^cy

Wee are Comanded by ye Houſe of Burgeſſes to p^rſent to yor Ex^cy Sev^ll reſolves & Ordinances of ye Houſe for yor Ex^cys Approbac̃on.

Whereupon his Ex^cy ſigned & aſſented to (*Viz^t*) An Order of ye Houſe of Burgeſſes of Two hundred Eighty three pounds five Shill^s to ye Truſtees of ye Citty of *Williamſburgh* dated ye 16th *Sep^t* 1701.

Reſolves

Reſolves of ye Houſe concerning allowance to ye Reviſall.

An Ordinance of Aſſembly for Setleing ye Bounds of *Iſle of Wight, Surry, & Charles City* Counties on ye South Side *Black Water* Swamp.

An Ordinance of Aſſembly, prohibiting ye Ordinary keepers to Entertaine &c^t^ ye Workemen Imployed for building ye Capitoll.

Reſolves Concerning *Black Water & Pomonkey* Neck Lands

Order for Tendering ye Proprietors concerned in ye Land taken Up for ye City of *Williamſburgh.*

Meſſage to his Ex^cy^ by Capt *Harriſſon* & Others in Anſwer to his Ex^cys^ Meſſage of this day Upon ye Book of Claimes, concerning ye Sixty three Pounds, and One hundred fforty Six pounds Eight Shill^s^ & three pence &c^t^

Wedneſday October ye 1^ſt^ 1701.

By ye Houſe of Burgeſſes

*May it pleaſe yor Ex^cy^*

In Anſwer to yor Ex^cys^ Meſſage . . . . . [See J. of H. of B., p. 330.]

Meſſage to ye Council by Capt *Harriſon* & Others

By ye Houſe of Burgeſſes—

*May it pleaſe yor Hon^rs^*

By yor [our] Meſſage in writeing . . . . . [See J. of H. of B., p. 330.]

*By his Ex^cy^*

Ordered

That ye Clerk of ye Gen^ll^ Aſſembly carry this Meſſage in writeing to ye houſe of Burgeſſes; that his Ex^cy^ is very well Sattisfied, that he hath Sufficiently declared his Minde to ye Houſe, & diſcharged his Duty to his Maj^tie^ in his Meſſage to ye Houſe concerning the Book of Claimes, & Since ye Houſe refuſe to have his Moſt Sacred Maj^tie^ to determine the Poynt, his Ex^cy^ muſt Stand by it and Cannot paſs ye Claimes.

*By his Ex^cy^*

Ordered.

That ye Clerk of ye Gen^ll^ Aſſembly carry this following Meſſage in writeing to ye houſe of Burg:

That upon Conſideracõn of that part of their Addreſs of ye 29th *Sept^r^* laſt paſt, wherein they ſay they humbly hope thoſe Methods they have taken to Anſwear his Maj^tie^ Royall Comands by an humble Addreſs Agreed Upon between ye Honble Council of this Colony & their Houſe will be Graciouſly recd: in ye Room of a direct complyance in Specie, and ye reſolve of ye Houſe of ye 19th *Sept^r^* laſt paſt in ye Anſwear to ye Council Meſſage ye Same day

That Upon Second Conſideracon they Altered their firſt intencõn of Seperateing ye Inſtructions from ye Addreſs & Voted ye Addreſs ſhould Containe all Neceſſary Matters, His Ex^cy^ thereupon Conceives that Affaire is now funiſhed, and hopes the Lawes Agreed Upon by his Maj^ties^ Honble Council and themſelves are now ready for his Ex^cy^ to Signe, ſoe that an End may be put to this Seſſion.

By His Ex^cys^ Comand

Dionyſius Wright Cl Gen^ll^ Aſſem^bly^

By the Honble Council

*M^r^* Speaker *& Gentl of ye Houſe of Burgeſſes*

His Ex^cys^ concurrence . . . . . [See J. of H. of B., p. 330.]

Meſſage to ye Council by Mr *Bland* & Others concerning returning ye Book of Claimes.

*Wedneſday Octob^r^* ye 1^ſt^ 1701

By ye Houſe of Burgeſſes

In Anſwer to yor Hon^rs^ Meſſage . . . . . [See J. of H. of B., p. 331.]

By

By ye Councill—

Ordered

That ye Clerk of ye Gen^ll Affembly acq^t ye Houſe of Burgeſſes that their Hon^rs deſire to ſee ye Originall Book of Claimes ye laſt Seſſion of Aſſembly.

Meſſage to ye Council by Lt Coll *Miles Cary* & Others

Wee are Comanded by ye Houſe of Burgeſſes to yor Hon^rs Meſſage, to preſent ye Book of Claimes of ye Laſt Seſſion of Aſſembly

Meſſage to ye Council by Lt Coll *Miles Cary* & Others

Wee are Comanded by the Houſe of Burgeſſes to p^rſent to yor Hon^rs ye Journalls of our Houſe ye laſt Seſſion of Aſſembly whereby it may appear that our Meſſage then Upon ye Book of Claimes was only to deſire ye Concurrence of ye Council & alſoe the Book of Claimes

By ye Council

Mr Speaker *& Gent: of ye Houſe of Burg:*

In Anſwear to one part . . . . . [See J. of H. of B., p. 331, foot of page.]

I am alſo Comanded to deſire this Houſe to Send to ye Council the Role of Bills that you have prepared for their Hon^rs to p^ruſe & Aſſent to ye Same.

A Meſſage to ye Council by M^r *Weſtcomb* & Others Who Brought in a Role of Bills (*Viz^t*)

A Bill for divideing *King* & *Queen* County

An Act continuing Impoſicon upon Liquors, Serv^ts & Slaves untill ye 25th December *1703.*

An Act giveing further directions in Building ye Capitoll and for building a publick priſon.

A Bill Entituled *an Act for Quieting ye Poſſeſcons of Sev^ll Perſons Seated w^thin ye Bounds of ye Land laid out for y^e* Pomonky *Indians.*

All wch were compared wth ye originalls & returned to ye Houſe

Meſſage from ye Burgeſſes to ye Council by Mr *Beverly* and Others

May it pleaſe yor Hon^rs

Wee are Ordered by ye Houſe to p^rſent to yor Hon^rs and Order of ye Houſe to Mr *Treaſurer*, to pay ye Sev^ll Alowances made this Seſſion of Aſſembly, to ye Members Aſſiſtance & Clerk of ye Comittee for Reviſall of ye Lawes & ye Allowances Made to *John Revington*, for his attendance Upon ye Said Comittee out of ye Monyes in his hands Upon ye Impoſicon Upon Liquors.

Aſſented to by ye Council

Alſo an Addreſs to his moſt Sacred Maj^tie Concerning ye Affaires of *New York* Compared & Agreed to and Signed by ye Council.

Addreſs to his Ex^cy to lay Open *Blackwater* & *Pomonkey* Neck Lands Agreed to by ye Council and his Ex^cy Reffers ye time for laying ye Same Open till a fuller Council

Addreſs to ye King About ye Agent Agreed to and Signed by ye Council

Ordered—to return all ye Above Bills and Addreſſes to the Houſe

His Ex^cy Propoſed to ye Council whether there is any thing further to be by his Ex^cy Offerred to ye Houſe of Burgeſſes, concerning his Maj^ties Lett^r relateing to ye affaires of *N. York* or any thing relateing to ye Safety & Security of this his Maj^ties Colony.

Upon Conſideracon whereof ye Council are of Opinion that his Ex^cy hath done w^t is proper & that it is not for his Maj^ties Service to Urge it any further at this time.

His Ex^cy Asking of ye Council, to what time the Aſſembly may be prorogued, proſes ye 12th *November* Next to wch ye Council Agrees.

By his Ex^cy

Ordered

That ye Clerke of ye Gen^ll Aſſembly Acq^t ye Houſe of Burgeſſes, that if they have any thing further to Offer to his Ex^cy for his Maj^ties Service, they doe now doe it, if not, then his Ex^cy in his Maj^ties Name Comand ye Whole Houſe Imediately to Attend upon his

his Exᶜʸ in Councill in yᵉ Council Chamber and to bring yᵉ Bills & Roles of Acts they have ready prepared for his Exᶜʸ to Assent to and Sign

About Eleaven a Clock at night

Message from yᵉ Burgesses by Mʳ *Beverley* & Others to his Exᶜʸ

May it please your Exᶜʸ

Wee are Comanded by yᵉ House to Acqᵗ your Exᶜʸ yᵗ yᵉ House haveing Buissines to doe for yᵉ Countries Service wᶜʰ they cannot funish too Night, prays yoʳ Exᶜʸˢ Continueance till to Morrow.

Thursday yᵉ 2ᵈ *October* 1701.

Present

HIS Exᶜʸ, *Wᵐ Byrd, Edmᵈ Jenings, Robᵗ Carter, James Blair* Esqʳˢ

A Message from yᵉ House of Burgesses to his Exᶜʸ by Mʳ *Beverly* and Others

By the House of Burgesses

May it please yoʳ Exᶜʸ

In Answear to yoʳ Exᶜʸˢ Messages . . . . . [See J. of H. of B., p. 333, line 8.]

A Message to yᵉ Council from yᵉ House of Burgesses by Mʳ *Beverly* and Others

Thursday 8ᵇʳ 2ᵈ 1701.

By yᵉ House of Burgesses

May it please yoʳ Honʳˢ

Haveing desired . . . . . [See J. of H. of B., p. 333, lines 3-6.]

Ordered That yᵉ Clerk of yᵉ Genˡˡ Assembly Carry this Message to yᵉ House of Burgesses

By his Exᶜʸ

Mʳ Speaker *& Gentᶅ of yᵉ House of Burgesses*

In Answear to yoʳ Message . . . . . [See J. of H. of B., pp. 333-4.]

The House of Burgesses Attending His Exᶜʸ was pleased to Signe these following Acts *Vizᵗ*

An Act Continueing Impositions Upon Liquors Servants & Slaves untill yᵉ 25ᵗʰ Decembʳ *1703.*

An Act giveing further directions in building yᵉ Cappitol and for building a Publick Prison

An Act for divideing King *&* Queen *County*

But

An Act for Quieting yᵉ possessᵒn of sevˡˡ persons Seated wᵗʰin yᵉ Bounds of yᵉ Land laid out for yᵉ Pomonkey *Indians* being Also presented.

His Exᶜʸ Expressed himselfe thus

Gentᶅ

I formerly hinted unto you that I could not pass This Act, & must now Againe tell you, that I am very Sorry that any Act consented to by his Majᵗⁱᵉˢ Honᵇˡᵉ Council Should not pass, but I find this so very Contrary to yᵉ Articles of peace made wᵗʰ yᵉ Indians, to all yᵉ Rules Orders & proceedings of the Assemblies here, and more perticularly & Expressly Contrary to yᵉ Instructions I recd: from yᵉ Rᵗ Honᵇˡᵉ yᵉ Lᵈˢ Comiᵒners of Trade & Plantacon Relateing to that Subject, and to wᶜʰ I also sent & Laid before yoʳ House that I cannot Assent to it.

Then yᵉ Sevˡˡ Orders to yᵉ Colonells & Comanders in Cheif of yᵉ Respective Counties, in this Colony to New frame & Model yᵉ Militia wᵗʰ a Specimen directing how to returne yᵉ Muster Roll, lying Upon yᵉ Table—

His Exᶜʸ delivered them as followeth.

Princess Anne.....To Mʳ *Mosely*

Norfolk.....To Mʳ *Butt*

Nanzemond

Nanzemond	To Capt *Miller*, Capt *Danll Sullivant*
Iſle-Wight	To Mr *Chiles*
Surry	To Capt *Nathll Harriſon*
Charles City / *Henrico*	To ye Honble *Wm Byrd* Eſqr
New Kent	To Mr *Gideon Macon*
James City	To Coll: *Phll Ludwell*
York County	Sent To ye Honble *Edmd Jenings* Eſqr
Warwick	To Lt Coll: *Miles Cary*
Elizs City	To Capt *Wm Armeſtead*
King & Queen	To Lt Coll: *Wm Gough*
Gloceſter	To Majr *Peter Beverly*
Middle Sex	To Mr *Edwin Thacker*
Eſſex	To Mr *Edmonſon*
Richmond	To Mr *Taylor*
Stafford	To Mr *Weſtcomb*
Weſtmoreland	To Mr *Weſtcomb*
Northumberland / *Lancaſter*	To ye Honble *Robt Carter* Eſqr
Northampton / *Accomack*	To Mr *Tully Robbinſon*

The Comiſon to *John Lightfoot* Eſqr is thus—Coll: & Coñander in Cheif of all ye Militia Horſe and Foot in ye County of *New Kent* (except yt Troop of Horſe Comanded by Lt Coll: *Wm Baſſett.*)

Virgs Js

In his Majties Name I will & requre you *Wm Byrd* Eſqr One of his Majties Honble Council of this his Majties moſt Ancient and great Colony & Dominion of *Virgs* and Coll and Coñandr in Cheif of all the Militia horſe and foot in ye Counties of *Henrico* and *Charles City* that ſo ſoon as poſſable you cauſe a Genll Muſtr to be made of ym and if you then find that all men who ought by Law to be liſted are not ſo that imediately cauſe them to be ſoe except xtan Servants who are not to appeare in armes for their own Maſters or any Other.

The Militia undr yr Coñand are to be Horſe and Dragoons and as few foot as poſſable each Troop of Horſe to Conſiſt of a Capt a Lievt Cornet and a Quartr Maſtr Three Corporalls Thirty Troopers and a Trumpetr each Troop of Dragoons wch are to be armed as foot to Conſiſt of a Capt Lievt Cornet Three Serjants Three Corporalls forty Dragoons and Two Drummers, a Foot Company to Conſiſt of a Capt Lievt Enſigne, and fity private Sentinalls and Two Drummers, Theſe Numbers in each Troops and Companys are to be muſtered where it is practicable If you find that there will be more Troopes & Companies (wch I ſopoſe there will) then are at Preſent in yr Militia I doe hereby in his Majties Name Impower you to appoint Officers for each Troop & Companie wch Offics are to take Charge of ye ſd Troopes & Companies but you are forthwith to ſend mee the Names of ye ſd Offics that ſoe they may have Suitable Comiſſions from mee.

And you are to take Care that ye ſaid Militia undr yr Comand be provided with armes and Amuniſon according to Law (and to acqt them that his Majties Ship ye *Lyncoln* and *Shoreham* deſignes (God Willing) from *Kiquotan* to *England* about ye Middle of this Month) and that they who are not ſoe be proſecuted according to Law. As ſoon as you have formed ye Militia undr yr Coñand into Such Troops and Companies you are to ſend mee Three Liſts of them with Collums expreſſing how they are aremed, ye Liſts muſt be Signed by yrſelfe and the Comiſſion Officers.

What

What Charges you are at in getting every Perſon Lifted & for writeing y^e^ ſ^d^ Liſts ſhall be allowed you in y^r^ Acc^ts^ you are not to faile of Complying wth theſe my Comands Given und^r^ my hand and ye Seale of this his Maj^tie^ Colony at his Maj^tie^ Royall College of *W^m^* & *Mary* this 1^ſt^ day of *Octob^r^* 1701 in ye Thirteenth Yeare of his Maj^tie^ Reigne.

ffr. Nicholſon

*To ye Honble* Wm Byrd *Eſq^r^ Coll & Comand^r in Chief of all ye Militia Horſe and Foot in ye Counties of* Henrico *and* Charles City.

The Specimen of ye Troops & Company (*vizt*)

Capt A: B Troop of Horſe

Offic^rs^ Names	Mens Name	ſwords	Piſtolls	Carabin	Powd^r^	Shot

Capt A: B Troop of Dragoons

Offic^rs^ Names	Mens Names	Swords	Muſq^ts^	Powd^r^	Shot

Cap A: B: Comp^a^ of Foot

Offic^rs^ names	Mens Names	ſwords	Muſq^t^	powd^r^	Shot

2^d^ *Octob^r^* 1701

Aft^r^ wch his Ex^cy^ Expreſſed himſelfe thus

*M^r^* Speaker *and Gent. of ye Houſe of Burg.*

I am ſorry ye proceedings of this Aſſembly hath been ſo flack and Burthenſome to ye Country as it is like to be by Reaſon of ye long Seſſion that there has been ſuch a bad Succeſs in what I laid before you. Eſpecially y^t^ Concerning his Maj^tie^ Royall Comands for giveing aſſiſtance of men & money to his Maj^tie^ Province of *New York.*

Gent. I hope you will ſeriouſly Conſider the evill and fatall Conſequences that may attend it as I before laid downe & that therefore at y^r^ returne to y^r^ ſev^ll^ Counties you will in all things Endeav^r^ his Maj^tie^ Peace & Tranquility of this Country and not Publiſh or make known y^r^ refuſall or denyall to Comply wth his Maj^tie^ aforeſaid Royall Comands But if you doe I hope you will be ſoe Juſt alſo As to Publiſh what I formerly Offered vpon that Occaſion for.

Gent. you muſt know I hold myſelfe ſo tyed in Conſcience and duty to Obey ye Comands of my Sov^r^ y^t^ *new York* ſhall never want Money vpon that Occaſion as long as I have a penny nor Men as I have ye Hon^r^ to weare his Maj^tie^ Royall Comiſſion in this Governm^t^

Gent. I find by y^r^ Reſolve y^t^ you will give me time enough in Caſe of an Alarm Invaſion or Inſurrection to raiſe forces Repell or Subdue y^m^ but I am affraid you will find y^e^ ſad fatall and dangerous conſequence of not haveing an Armed force in readyneſs And I hope I may have an Oppertunity to ſend for you according to y^r^ form^r^ Reſolves to venture y^r^ lifes and fortunes for y^e^ ſake of y^r^ Religion his Maj^tie^ Intereſt and defence of the Country and ſhall have the Hon^r^ to fight in ye Head of you.

Gent.

Gent. I thank you for y^t^ Clauſe in y^r^ Addreſs of the 29th 7^br^ wherein you ſay y^t^ ye Bill for Levying and Armeing an effectuall force in time of danger you Conceive is Cleare of any Clauſes that can be Conſtrued to be repugnant to his Maj^tie^s Comands to mee or y^t^ Royall authority veſted in his Maj^tie^ which were it in y^r^ Power you have hearts too Loyall to diſpute or ſeek ye Diminition of.

As alſo for y^t^ Clauſe in y^r^ Meſſage to his Maj^tie^s Honble Councill of 7^br^ 29th where you ſay y^t^ by ye words of y^t^ Act before menc̃oned there cannot be made a Queſtion in his Maj^tie^s Prerogative of makeing uſe of his men here for ye Defence of his Plantacons where it ſhall be thought neceſſary wch I take *Gentlemen* to be a poſtive alterac̃on of his Maj^tie^s Authority in y^t^ Caſe.

And thô wee are not now come to ſuch a happy Concluſion as might a been wiſhed & as indeed his Maj^tie^s Royall Comands & Intereſt Safety and Securety of this Country requires, yet I hope time and ſecond thoughts may effect it at another meeting.

And now nothing more remaines but That I prorogue you and you are hereby prorogued untill ye 12th of *Novemb^r^* next.

Dionifius Wright Cl Gen^ll^ Aſſembly

327-330

ATT A

GENERALL ASSEMBLY

begun at his Majtes Royall Colledge of *William* and *Mary* adjoyning to the City of *Williamſburgh* the 15th day of *Decembr* 1700 and thence continued by Severall prorogacons Untill *Weneſday* the 13th day of *May* 1702 in the fortieth year of our Sovereigne Lord *William* ye 3d of *England Scotland france* and *Ireland* King Defender of the faith &ca

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1409, pp. 569-609.]

Att a Generall Aſſembly begun at his Majtes Royall Colledge of *William* and *Mary* adjoyning to the City of *Williamſburgh* the 15th day of *Decembr* 1700 and thence continued by Severall prorogacons Untill *Weneſday* the 13th day of *May* 1702 in the fortieth year of our Sovereigne Lord *William* ye 3d of *England Scotland france* and *Ireland* King Defender of the faith &ca

---

[*May* the 13th, 1702.]

Preſent

HIS Excelly *Francis Nicholſon* Eſqr his Majtes Lievt and Governr Genll of *Virginia—Edmund Jennings, John Lightfoot, Matthew Page* Eſqrs

His Excelly having been pleaſed by his Comiſſion undr the Seale of this Colony to appoint *Wm Robertſon* Clk of the Genll Aſſembly he did accordingly take the Oathes appointed by Act of Parliament to be taken inſtead of the Oathes of Supmacy and Allegiance and Subſcribed the Teſt and Aſſociation appointed by Act of Parliamt and thereafter took the Oath of Clk of the Genll Aſſembly and was ordered to attend accordingly

A Repſentacon from the Committee appointed to reviſe the Lawes being read ordered that the Same be referred to the Conſideracon of the Rt Worſpple the Houſe of Burgeſſes

Ordered that the Clk of the Genll Aſſembly doe goe to the houſe of Burgeſſs and acquaint them that his Excelly commands their imediate attendance upon his Excelly in Councill in the Council chamber.

Mr *Speaker* wth the houſe attending his Excelly Expreſſed himſelf thus—

Gentlemen

I herewth Give . . . . . [See J. of H. of B., 1695-1702, p. 337.]

The Council Adjourn'd till to morrow morning Eight a Clock—

Thurſday May the 14th 1702

Preſent

HIS Excelly *Francis Nicholſon* Eſqr &cs, *Edmund Jennings, John Lightfoot, Matthew Page, James Blair* Eſqrs

Ordered that the Clk of the Genll Aſſembly do carry the following meſſage to the Houſe of Burgeſſes

By his Excelly

Mr Speaker *and Gentn of the houſe of Burgeſſ*

I ſend you . . . . . [See J. of H. of B., p. 338.]

A Meſſage from the houſe of Burgeſſs to his Excelly by Mr *Corbin* and others

May it Pleaſe yor Excelly

Wee are commanded by the houſe of Burgeſſs to pray yor Excelly that a new writt may iſſue for the Election of a Burgeſs for *King* and *Queen* County in the room of Mr *Wm Gough* Deceaſed a new writt for election of a Burgeſs for *New Kent* County in the roome of Mr *Gideon Macon* Deceaſed a writt for Election of a Burgeſs for *princes Ann* County in the room of Mr *John Thoroughgood* Decēd and a writt for elecēon of two Burgeſſs for *King William* County—

Adjourn'd till afternoone

Poſt

Poſt Merediem

Preſent

HIS Excelly, *Wm Byrd, Edm^d Jennings, John Lightfoot* Eſq^rs

The Council met & being informed that the Houſe of Burgeſſ^s are adjourned for this night the Council alſo Adjourned till tomorrow morning 8 a Clock

---

Fryday May the 15th 1702

Preſent

HIS Excelly, *Wm Byrd, Edmund Jennings, John Lightfoot, Matthew Page, James Blair* Eſq^rs

Ordered that the Clerk of the Gen^ll^ Aſſembly doe carry this following Meſſage to the houſe of Burgeſſ^s

By his Excelly and the hon^bl^ Council

Mr Speaker *and Gent^n of the houſe of Burgeſſes*

Whereas by an Act . . . . . [See J. of H. of B., pp. 338-9.]

A moc̃on being made that care be taken to p^r^vent any inconveniences that may happen upon the death of the King or Queen for the time being and before Such death Can be Publickly notifyed here and alſo for continuing the Gen^ll^ Aſſembly that ſhall then happen to be Sitting notwithſtanding Such death the hon^ble^ Council tooke the Same imediately into conſiderac̃on and after ſometime ſpent therein the hon^ble^ *Wm Byrd* and *Matthew Page* Eſq^rs and Mr Comiſſary *Blair* were appted a Committee to prepare ſome propoſitions to be laid before the houſe of Burgeſſes on that Subject wch being by them accordingly p^r^pared were read and agreed to by his Excelly and the hon^ble^ Council

Ordered

That the Clerk of the Gen^ll^ Aſſembly do carry this following Meſſage to the houſe of Burgeſſes—

By his Excelly and the hon^bl^ Council—

Mr Speaker *& Gent. of the houſe of Burgeſſes*

Whereas by reaſon . . . . . [See J. of H. of B., p. 340.]

Upon reading the Grievances of *Charles City* County

Ordered

That the ſame be refferred to the conſiderac̃on of the houſe of Burgeſſes

A Meſſage from the houſe of Burgeſſes to his Excelly by M^r^ *Wm Leigh* and others

By the houſe of Burgeſſes

May it pleaſe yor Excellency

In anſwer . . . . . [See J. of H. of B., pp. 340-1.]

Alſo a meſſage to his Excelly and the Honble Council from the houſe of Burgeſſes by the Said M^r^ *Wm Leigh* and others—

May it pleaſe yor Excellency and honours

The houſe of Burgeſſes on conſiderac̃on of the propoſic̃ons ſent by yor Excelly and hon^rs^ this day concerning the places for the Ships to ride at have come to theſe following Reſolues

May the 15th 1702

By the houſe of Burgeſſes

Reſolved that it is the Opinion . . . . . [See J. of H. of B., pp. 339-40.]

Then the Councill Adjourned till to morrow morning 8 a Clock—

Saturday

Saturday May the 16th 1702

Preſent

HIS Excellency, *William Byrd, Edmund Jennings, John Lightfoot, Matthew Page, & James Blair* Eſqrs

Upon reading of the Petiçon of Mr *Chicheley Corbin Thacker* Clerk of the Secretarys Office for his uſuall Allowance for publick Services

Ordered

That the Same be referred to the conſideracon of the houſe of Burgeſſes

Upon reading the petiçon of the Said Mr *Chicheley Corbin Thacker* Setting forth that by the 137th Act of Aſſembly in the printed Laws amongſt other ffees therein ſett downe 50li of Tobo is allowed for every Military Commiſſion that ſhall be iſſued out of the Said Office And whereas the Said ffee has been heretofore charged to the perſon to whom the Commiſſion was granted and by them refuſed to be paid and there being lately iſſued out 409 Military Commiſſions Therefore prayed that itt may be declared by whom the ſaid ffee ought to be paid that he may rightly charge itt or that the Genll Aſſembly would pleaſe to give Such Allowance as they think juſt—

Ordered

That the ſame be referred to the Conſideraçon of the houſe of Burgeſſes

Ordered

That the Clerk of the Genll Aſſembly carry this following Meſſage to the houſe of Burgeſſes—

By his Excelly & the honble Council—

The houſe of Burgeſſes having . . . . . [See J. of H. of B., pp. 342-3.]

Ordered

That the Clerk of the Generall Aſſembly do carry to the houſe of Burgeſſes the Grievances of *Charles City* County the petiçon of Mr *Chicheley Corbin Thacker* for his uſual allowance for publick Services, and the petiçon of the Said Mr *Chichley Corbin Thacker* praying allowance for writing Several military Commiſſions All which are by the honble Council referred to the Conſideraçon of the houſe of Burgeſſes

Then the Council adjourned till *monday* morning 8 a Clock

Monday May the 18th

Preſent

HIS Excelly, *Wm Byrd, Edmund Jennings, Matthew Page, Benja Harriſon, James Blair* Eſqrs

Ordered That the Clerk of the Genll Aſſembly do carry to the houſe of Burgeſſes this following Meſſage

By his Excelly and the honorable Council—

Mr Speaker *& Gent of the houſe of Burgeſſes*

Whereas great complaints . . . . . [See J. of H. of B., p. 344-345.]

[The following paragraph of the meſſage, however, was omitted by the clerk of the Houſe of Burgeſſes:]

Captain *Burford* Comandr of the *Elizabeth & Mary* of *London* having loſt his Ship at Sea laſt winter the men were brought by Captain *Weſt* were Suffered to diſperſe themſelves whereby they Eſcaped out of the Country and the Captain of his Majtie Ship loſt that opportunity to make up his Complement of men wch now he muſt be obliged to do out of the Merchants Ships lying here—

John Lightfoot Eſqr Prſent

Ordered

That the Clerk of the Generall Aſſembly do carry to the houſe of Burgeſſes the following Meſſage

By his Excelly and the honorable Council—

Mr Speaker *and Gent of the houſe of Burgeſſes*

His Excelly and the honorable Council . . . . . [See J. of H. of B., p. 345.]

A Meſſage to the Council from the Burgeſſes by Mr *Miles Cary* and others who brought an Ingroſſed Bill Entituled a Bill for the Continuing meeting and Sitting of Genll Aſſemblies in caſe of the Death or demiſe of his Majty his hrs and Succeſſors to which they deſire the Concurrence of the Council and the Same was read a firſt time and ordered a Second reading

Then the Council adjourned till to morrow morning Eight a Clock

---

Tueſday May the 19th 1702

Preſent

HIS Excellency, *Wm Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benjamin Harriſon, James Blair* Eſqrs

An Ingroſſed Bill from the Burgeſſes Intituled a bill for the Continuing meeting and Sitting of Generall Aſſblys in Caſe of the death or demiſe of his Majtie his heirs & Succeſſors read a Second time and ordered a third hearing

The Council Adjourn'd for two hours

THE Council being met as before

William Randolph Junior appointed by the houſe of Burgeſſes to be Clerk of the Committee for propoſicons and Grievances praying that he might be Sworne and Admitted into the Said Office—

Ordered

That a Commiſſion be prpared impowering *William Byrd Ed'mund Jennings* and *John Lightfoot* Eſqrs or any two of them to Adminiſter to the Said *Wm Randolph* the Oathes appointed by Act of Parliament to be taken inſtead of the Oathes of Allegiance and Suprmacy the Teſt & Aſſociacon and the Oath of Clk of a Committee—

Purſuant to which Commiſſion the Said *Wm Byrd Edmund Jennings* and *John Lightfoot* Eſqrs having adminiſtred the above Said Oathes to the aforeſaid *Wm Randolph* Junior he thereafter Subſcribed the Teſt and Aſſociation and the Same was certifyed as uſual—

An Engroſſed Bill from the Burgeſſes Entituled a Bill for the Continueing meeting and Sitting of General Aſſemblies in Caſe of the Death or demiſe of his Majty his heirs and Succeſſors was read a third time and agreed to by the Council with Several Amendments

Reſolved

That the Bill with the Amendments do paſs

Ordered

That the Clerk of the Generall Aſſembly do carry the Said Bill to the houſe of Burgeſſes and acquaint them that the Council have agreed thereto with the Amendments—

A Meſſage from the houſe of Burgeſſes to the Council by Mr *Miles Cary* and others that the houſe have agreed to the Amendments propoſed by their Honours to the Bill for the Continuing meeting and Sitting of Genll Aſſblys in Caſe of the Death or Demiſe of his Majeſty his heirs and Succeſſors and have inſerted them in the Bill—

The Peticon of *Henry Lownd* of *Henrico* County praying allowance for a Negroe Slave of his tryed and Condemned and Executed laſt *Octobr* for a rape read and referred to the Conſideracon of the houſe of Burgeſſes—

The Peticon of *Thomas Blunt* Indian Interprter on the South Side of *James* River praying that his uſuall Sallary from *Octobr* 1700 may be Levyed for him read and referred to the Conſideracon of the houſe of Burgeſſes—

His

His Excelly being informed that the Bill for continuing meeting and Sitting of Generall Aſſemblies in Caſe of the death or Demiſe of his Majᵗʸ his heirs and Succeſſors was inrolled and that the Burgeſſes were ready to waite on his Excelly for his Aſſent

Ordered

That the Clerk of the General Aſſembly do goe to the Houſe of Burgeſſes and Command their Imeidiate attendance upon his Excelly in Council in the Council Chamber and bring with them what Bills they have ready for his Aſſent

Mʳ *Speaker* with the houſe of Burgeſſes attending his Excelly in the Council Chamber Mʳ *Speaker* addreſſed himſelfe to his Excelly as followes—

May itt pleaſe yoʳ Excellency

In Obedience to your Excellys Commands—

Wee his Majᵗᵉ moſt Loyal and Dutiful Subjects the houſe of Burgeſſes doe now attend your Excelly with a Bill Aſſented to by the Honourable Council and our Selves Entituled *an Act for the continuing meeting and Sitting of General Aſſemblies in Caſe of the Death or Demiſe of his Majᵗʸ his heirs and Succeſſors* in order to receive that ſtamp which yet remaines to make itt effectuall the pʳamble of which Bill Setting forth the neceſſity of Such an Act wee are well Aſſured yoʳ Excellys zeale for the Service of our Sovereigne & good of this Country will be a Sufficient motive for yoʳ giving itt the Sanction of yoʳ Aſſent—

Then his Excelly Signed the Said Bill and afterwards Mʳ *Speaker* allſo and the Said Bill being delivered back to the Speaker his Excelly was pleaſed to Expreſs himſelfe thus

Mʳ Speaker *& Gent of the houſe of Burgeſſes*

I am very glad you have Soone paſſed this Bill and I hope in god wee ſhall never have any other occaſion for it then the pʳſent

Gentlemen

I recommend to you to p̄ceed with all poſſible Speed upon thoſe weighty matters that now lye before you becauſe I Expect the men of warr in Dayly and by them to receive Several orders from *England* wᶜʰ may hereafter take up much of your time

Then the Council Adjourned till to morrow morning Eight a Clock

---

Wedneſday May the 20th 1702

Preſent

HIS Excellency, *Wᵐ Byrd, John Lightfoot, Matthew Page, Benjamin Harriſon & James Blair* Eſqʳᵉ

Ordered

That the Clerk of the General Aſſembly do carry to the houſe of Burgeſſes this following Meſſage

By his Excellency and the honorable Council

Mʳ Speaker *and Gent of the houſe of Burgeſſes*

Upon repreſentation . . . . . [See J. of H. of B., p. 349.]

Ordered that the Clerk of the General Aſſembly do carry to the houſe of Burgeſſes the following Meſſage

By his Excellency and the Honourable Council

Mʳ Speaker *and Gent of the houſe of Burgeſſes*—

Whereas ſome of the . . . . . [See J. of H. of B., p. 349.]

Ordered

That the Clerk of the General Aſſembly doe carry this following meſſage to the houſe of Burgeſſes—

By his Excelly

Mʳ Speaker *and Gent of the houſe of Burgeſſes*—

His Excelly having . . . . . [See J. of H. of B., p. 348.]

Ordered

Ordered That the Clerk of the General Aſſembly carry to the houſe of Burgeſſes this following meſſage—

By his Excelly

Mr Speaker *and Gent of the houſe of Burgeſſes*

Whereas the Act . . . . . [See J. of H. of B., p. 348.]

The Petiçon of Captain *Tho Lovel* Comm^r of the Ship *Loyal Charles* of *Belfaſt* complaining againſt *Peter Cartwright* an Ordinary Keeper at *Elizabeth* Towne for harbouring and Entertaining his Seamen and praying redreſs therein

Alſo a letter from Captain *James Moodie* Commander of his Maj^tes^ Ship the *Southampton* complaining that one of his men is detayned by one *Smith* a Shoemaker in *Iſle* of *Wight* or *Surry* Counties being ſeverally read ordered that the Same be referred to the Conſideraçon of the houſe of Burgeſſes &

Ordered

That the Clerk of the General Aſſembly carry this following meſſage to the houſe of Burgeſſes.

By his Excelly and the hono^ble^ Council—

Mr Speaker *and G: of the houſe of Burgeſſes*

There being ſome propoſals made this Seſſion of an Act for . . . . . [See J. of H. of B., p. 349.]

The Petiçon of Several inhabitants of the County of *Norfolk* ſetting forth Severall Grievances of the Said Inhabitants

Alſo a Petiçon of Mr *Rud* Miniſter of *Norfolk* with two orders of the Veſtry of *Elizabeth* River Pariſh and an Account of the charge of the Burgeſſes of the ſaid Co^ty^ being p^r^ſented to his Excelly and the honourable Council and read—

Ordered

That the ſame be referred to the conſideraçon of the houſe of Burgeſſes and that the Clerk of the Gen^ll^ Aſſembly imediately carry the Same to the houſe.

Then the Council adjourned till to morrow morning Eight a Clock.

Thurſday May 21^ſt^ 1702

Preſent

HIS Excellency, *William Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benj^a^ Harriſon, John Cuſtis, James Blaire* Eſq^rs^

A Meſſage to his Excelly by M^r^ *Wm Leigh* and others that the houſe of Burgeſſes had commanded them to returne his Excelly Mr Treaſurer *Carters* letter and the order of the houſe thereupon as follows.

May the 21^ſt^ 1702

*By the houſe of Burgeſſ^s^*

A Letter from Mr Treaſurer *Carter* . . . . . [See J. of H. of B., p. 351.]

A Meſſage to his Excelly from the houſe of Burgeſſ^s^ by Mr *Robert Beverley* and others who brought the following Reſolve

May the 20th 1702

By the houſe of Burgeſſes

Reſolved

That it is the Opinion of this houſe that itt is not convenient to proceed upon the Reviſall of the Lawes this Seſſion

By Order of the houſe of Burgeſſes

Peter Beverley Speaker

As alſo the Said Mr *Beverley* &c^a^ preſented to his Excelly the following Reſolve

May the 20th 1702

By the houſe of Burgeſſes

His Excellys meſſage of this day was read wherein his Excelly is pleaſed to propoſe that ſuch a number of the houſe of Burgeſſ^s^ as ſhall be thought convenient be joyned with

with the Committee of the Council (already) appointed to conſider of the moſt proper method for rendring the Act for Cohabitacon more effectual or in ſome other way for ſecureing the frontiers and a debate arifeing

The Queſtion was put

That a Committee be appointed to joyne with a Comitte of the Council to conſider of the moſt proper methods for rendring the Acts for Cohabitacons more Effectual or on ſome other way for Seating the frontiers—

And itt paſſed in the Negative

Teſt Wm Randolph Clerk of the hhs of Burgeſſes—

Ordered that the Clerk of the General Aſſembly carry the following Meſſage to the hh^s of Burgeſſes—

By his Excelly and the hon^ble Council—

Mr Speaker *& Gent of the hh^s of Burgeſſes.*

His Excelly and the hon^ble Council . . . . . [See J. of H. of B., p. 353.]

The Council took into conſideracon the peticon of *Hill Drummond* of *Accomack* County complaining that one *John Pope* of *Somerſett* County in *Maryland* had Entred upon a plantacon of his for which he has pattent and payes Quitt Rents In *Virginia* and turned him out of poſſeſſion as alſoe Some other papers preſented to the Council concerning Some diſputes betweene the Inhabitants of this Colony on the Eaſterne Shore and thoſe of *Maryland* about the bounds

Ordered

That the Same be referred to the Conſideracon of the houſe of Burgeſſes

Then the Council adjourned till tomorrow morning Seven a Clock—

Fryday May the 22^d^ 1702

Preſent

HIS Excellency, *Wm Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Benj^a Harriſon, John Cuſtis, James Blare* Eſq^rs^

His Excelly and the hon^ble Council took into conſideracon the State and Condicon of the Militia of this Country as allſoe what was moſt propper to put the ſame into a poſture of Defence and after ſome time Spent therein

Ordered

That the Clerk of the General Aſſembly carry the following Meſſage to the houſe of Burgeſſes

By his Excelly and the hon^ble Council

Mr Speaker *and Gent of the hh^s of Burgeſſes*

When his Excellency called . . . . . [See J. of H. of B., p. 354.]

Memorandum

His Excellency herewith Sends the votes of the houſe of Commons in *England* whereby itt appeares they have provided every thing as if there were An Actual Warr.

Ordered

That the Clerk of the General Aſſembly carry to the houſe of Burgeſſes the following Meſſage

By his Excelly And the honorable Council—

Mr Speaker *and Gent of the houſe of Burgeſſes:*

Whereas ſome diſputes . . . . . [See J. of H. of B., pp. 354-5.]

The peticon of *John Gledwin* praying to be Admitted poſt or Meſſinger for carrying Expreſſes or Letters from *Potomack* to *Williamſburgh* alſoe—

The Peticon of Several of the Inhabitants of the Southerne Branch of *Norfolke* County praying that a roade made by them betweene the great Bridge of the Southerne Branch to the Northweſt River may be declared to continue as itt was firſt laid out and a Peticon of Liev^t Collonel *John Cattlett* praying Allowance for writeing three faire Coppies of the laſt Liſts of the Militia

Were

Were Severally read and referred to the conſideracõn of the houſe of Burgeſſes—

His Excellency haveing Signed a Commiſſion Impowering *Edmund Jennings John Lightfoot* and *Matthew Page* Eſqrs or any two of them to Adminiſter the Oathes Appointed by Act of Parliament to be taken inſtead of the Oathes of Allegiance and Supremacy the Teſt Aſſociation and Oath of a Burgeſs to Every new Elected Member of this preſent Genll Aſſembly

Purſuant thereunto the Said *Edmund Jennings* and *John Lightfoot* Eſqrs went out to Adminiſter the Said Oathes &ca to *William Baſſett* Gent Elected a Burgeſs for *New Kent* County. and being returned reported that they had accordingly tendered the Same to him the Said *Wm Baſſett* and that he anſwered as followeth (*viz*t) *I have already in Several qualifications teſtifyed Allegiance to King* Wm*s Government by taking the oathes &ca but I am now informed and fully Satisfyed he is dead and therefore I think my Selfe Obliged both in prudence and conſcience to decline taking the Oathes to him at this time* wch they had certifyed to the houſe of Burgeſſes

---

Saturday May the 23d 1702

Preſent

HIS Excellency, *Edmund Jennings, John Lightfoot, Matthew Page, Benjamin Harriſon, John Cuſtis, James Blair* Eſqrs

The Peticon of *John Walter* late Sheriff of *King* and *Queene* County praying allowance for Executing one *Darby Colnon* by Order of Laſt *Octobe*r General Court and alſoe

An Aſſignment of *Dyoniſus Wright* late Clerke of the General Aſſembly to *George Harvey* for 1500ll of Tobacco to be paid out of the 11000lb of Tobacco. allowed him laſt Seſſions of Aſſembly were read and

Ordered

That the Same be referred to the Houſe of Burgeſſes

A Meſſage from the houſe of Burgeſſes to the Council by Mr *Nathaniel Harriſon* and others who brought an Ordinance of Aſſembly for Settling the Dividing Lines between the Counties of *Iſle* of *Wight Surry* and *Charles City* and *Nanſimond* Counties on the South Side the *Black Water* Swamp to which they deſire the Councils Concurrence—

And the ſaid Ordinance was read and aſſented to by ye Council wth ſome Amendments

Ordered

That the Clerk of the General Aſſembly carry the Said Ordinance of Aſſembly to the houſe of Burgeſſes and acquaint them that the Council have Aſſented thereto wth the ſaid Amendments

A meſſage to the Council by Mr *Nathaniel Harriſon* and others that they were commanded by the houſe of Burgeſſes to returne the Ordinance of Aſſembly for Settling the dividing lines between the Counties of *Iſle* of *Wight Surry* and *Charles City* and *Nanſemond* and to acquaint their Honours that the houſe had agreed to the Amendments propoſed by them to the Said Ordinance and had incerted them therein

Ordered

That the Clerk of the General Aſſembly Endorſe upon the Said Ordinance that the Same is agreed to by the Council

Then the Council adjourned till *Munday* two a clock in the afternoon

---

Munday May the 25th 1702

THERE being no more of the Council come to Town but *Jne Cuſtis* Eſqr & Mr Commiſſary *Blair* His Excellency adjourned the Council till tomorrow morning

Tueſday

Tueſday May the 26th 1702

Preſent

HIS Excellency, *Edmund Jennings*, *John Lightfoot*, *Matthew Page*, *John Cuſtis* and *James Blair* Eſqrs

Ordered

That the Clerk of the General Aſſembly do carry this following Meſſage to the houſe of Burgeſſes.

By his Excellency and the honble Council

Mr Speaker *and Gent of the houſe of Burgeſſes*

Whereas this yeares . . . . . [See J. of H. of B., p. 362.]

A Meſſage to his Excelly and Council by Mr *Wm Leigh* and others

May it pleaſe yor Excelly and Honours

Wee are Commanded by the houſe of Burgeſſes to Deliver the Reſolves of the houſe to Such of your Excelly & Honrs propoſicons as are not already anſwered

Which the Said Mr *Leigh* Delivered in at the Table

Where the Same were read as followes

By the houſe of Burgeſſes

May it Pleaſe your Excellency and Honours

Wee his Majtys . . . . . [See J. of H. of B., pp. 360-2.]

Alſoe a meſſage to the Council by the Said Mr *Wm Leigh* and others whoe brought an Engroſſed Bill from the houſe of Burgeſſes Entituled a Bill to pvent Maſters of Ships or veſſells running away after Embargoes are laid to which they deſire their Honours Concurrence—

And the Said Bill was read the firſt time and ordered a Second reading

A Meſſage to the Council by Mr *Miles Cary* who brought the following reſolve of the houſe of Burgeſſes and Deſire their Concurrence thereto—*Vizt*

Tueſday May the 26th 1702

By the houſe of Burgeſſes

Ordered That his Excellency the Governour be deſired to iſſue out his Orders to the reſpective Juſtices appointed to take the Liſts of Titheables in the Several Counties of this Dominion for this preſent yeare. to returne the Liſts they take to the reſpective County Court Clerkes ſo as the Said Clerk may be able to returne a Copy or Certificate of the ſame to the Secrys Office by the 20th Day of *July* next—

Ordered That his Excellency be deſired to require the Seval County Court Clerkes to make due returne to the Secrys Office according to the Tenor of the abovefaid Ordr

Wm Randolph Clk of the houſe of Burgeſſes

Edmund Jennings and *John Lightfoot* Eſqrs having been to Adminiſter the Oathes &ca to *Wm Byrd* Gent returned a Burgeſs for *King* and *Quеene* County. reported that they had accordingly tendered the Same to him and that he gave in the following anſwer (*Vizt*) *I have on Several Occaſions Shewed my Obedience to his Majty King* William *and ſhould be as ready at this time but now I am informed he is dead the which I Believe and for that reaſon I think in Conſcience I ought not to take the Oathes I therefore Deſire to be Excuſed* wch they had certifyed to the houſe of Burgeſſes

Then the Council Adjourned till tomorrow morning 8 a Clock

Wedneſday May the 27th 1702

Preſent

EDMUND JENNINGS, *John Lightfoot*, *Matthew Page*, *John Cuſtis* & *James Blair* Eſqrs

An Engroſſed Bill from the Burgeſſes Entituled a Bill to pvent Maſters of Ships or veſſells running away after Embargoes are laid read a Second time and Ordered a Third reading

Preſent

Preſent his Excellency

Ordered That the Clerk of the General Aſſembly doe carry the following meſſage to the houſe of Burgeſſes

By his Excellency

Mr Speaker *and Gent of the houſe of Burgeſſes*

Upon conſidering . . . . . [See J. of H. of B., p. 363.]

The Council proceeded to take into Conſideracõn that part of the houſe of Burgeſſes anſwer p^ſented yeſterday relating to the Levying forces upon any Extraordinary Emergency and after ſome debate therein

Ordered

That the Clerke of the General Aſſembly carry this following Meſſage to the houſe of Burgeſſes

By the honorable Council

Mr Speaker *and Gent of the houſe of Burgeſſes*

Upon reading . . . . . [See J. of H. of B., pp. 363-4.]

Adjourned till afternoone

Poſt Merediem

Preſent as before

A MOCON being made and the queſtion put that the Bill for preventing Maſters of Ships and Veſſells running away after Embargoes are Laid be now read a Third time

Itt Paſſed in the Negative & Ordered that y^e ſaid bill be read a third time to Morrow Morning—

A meſſage from the houſe of Burgeſſes to the Council by M^r *Wm Leigh* and others *May itt pleaſe your Hon^rs* wee are Commanded by the houſe of Burgeſſes to returne your Honours the anſwer made yeſterday by the Houſe to his Excellency and your Honours Several Propoſitions and to acquaint your Honours that the houſe have agreed to the Amendments propoſed by your Honours to that Paragraph of the Same Leaving itt to his Exc̃elly to Levy Competent forces upon any Extraordinary Emergencie as an Alarm Surpriſe or Invazion.

A Meſſage to the Council from the Burgeſſes by Mr *Miles Cary* and others who brought the following Reſolve to wch they Deſire the Councils Concurrence.

May the 27th 1702

By the houſe of Burgeſſes

Reſolved that this houſe doth agree to his Excellencies Propoſic̃on (*Viz^t*) that the time for returning the Liſts of Titheables to the Secretaries Office be Limitted to the firſt day of *July* next

William Randolph Clk of the houſe of Burgeſſes

And the Same was Accordingly Aſſented to by the Honble Council and Delivered to the ſaid Mr *Cary*.

A Meſſage from the Burgeſſes to his Excelly by M^r *Wm Leigh* and others.

May it Pleaſe your Excellency

Wee are Commanded by the houſe of Burgeſſes to p^ſent to your Excellency the Reſolve of the houſe upon your Excellys Meſſage to them this day for Limiting the time for returning the liſts of Titheables to the firſt of *July* which is allſo agreed to by the Council and alſo to acquaint your Excellency that the Council have concurred with ye Burgeſſes in that paragraph of their Anſwer to your Excellency. and the Councils Several propoſic̃ons whereby they Leave itt to yor Excelly by Advice of the Council to Levy Competent forces on any Extraordinary emergency as an Alarm Surprize Inſurrection or Invazion

Then the Council Adjourned till tomorrow morning Eight a Clock

Thurſday

Thurſday May the 28th 1702

Preſent

HIS Excellency, *Wm Byrd, Edmund Jennings, John Lightfoot, Matthew Page, Robert Carter, John Cuſtis, James Blair* Eſqrs

The Petition of *George Norfworthy Thomas* ſworn and *Daniel Sullivan* praying the Allowance for taking the Examinacon of Several wittneſſes by ordr of the General Court bearing Date the 17th Day of *April* 1701 on behalfe of our Sovereigne Lord the King againſt *Samuel Booth* who was Suſpected of Piracie read and

Ordered

That the Same be referred to the Conſideracon of the houſe of Burgeſſes

An Engroſſed Bill from the Burgeſſes Entituled a bill to prevent Maſters of Ships or Veſſells running away after Embargoes are Laid was according to Order read the third time and aſſented to by the Council wth Some Amendments and Additions

Ordered

That the Clerk of the General Aſſembly carry the Said Bill to the houſe of Burgeſſes and acquaint them that the Council have agreed thereto with Amendmts and additions

A Meſſage to the Council by Mr *Wm Leigh* and others that the houſe of Burgeſſes have agreed to the amendmts and Addition propoſed by their honrs to the Bill to pvent Maſtrs of Ships or Veſſells running away after Embargoes are Laid and have inſerted them therein—

Ordered

That the Clerk of the General Aſſembly endorſe upon the Said Bill that the Same is Aſſented to by the Council

Then the Council Adjourned till tomorrow morning 8 a Clock.

Fryday May the 29th 1702

Preſent

HIS Excellency, *Edmund Jennings. John Lightfoot, John Cuſtis, James Blair* Eſqrs

A Meſſage from the houſe of Burgeſſes to his Excellency by Mr *William Leigh* and others

May itt Pleaſe yor Excellency

Wee are Commanded by the houſe of Burgeſſes to waite upon yor Excellency, and to Deſire that a new writt may iſſue for the Election of a Burgeſs for *New Kent* County in the roome of *Wm Baſſett* Gent. and alſo a new writt for Eleccon of a Burgeſs for *King* and *Queene* County in the roome of *Wm Byrd* Gent. they having refuſed to take the Oathes—

Ordered

That the Clerk of the General Aſſembly goe to the Houſe of Burgeſſes and Command their imediate attendance upon his Excellency in Council in the Council Chamber and that they bring with them what Bills they had prpared for his Excellencies Aſſent—

The houſe of Burgeſſes attending Mr *Speaker* Expreſſed himſelf as followeth

May itt pleaſe your Excellency

In Obedience to your Excellys Command Wee his Majtys moſt Loyal and Dutiful Subjects the houſe of Burgeſſes doe, now attend your Excellencies wth a Bill and Ordinance Aſſented to by the honourable Council and our Selves the Bill is thus Intituled A bill to pvent Maſters of Ships or Veſſells running away. after Embargoes are laid and the Ordinance thus (*Viz*t) an Ordinance of Aſſembly for Settling the Dividing Lines between the Counties of *Surry Iſle* of *Wight Charles City* and *Nanſemond* on the South Side the *Blackwater* Swamp in Ordr to receive yor Excellys Aſſent—

And thereupon the Said Bill and Ordinance were Signed by his Excelly & Mr *Speaker.*—

Then his Excelly Signed his Aſſent to that Paragraph of the houſe of Burgeſſes Anſwer Dated the 26th *Inſtant* wch was alſo Aſſented to by the Council wherein they leave

itt

itt to his Excellency with Advice of the Council to Levy. Competent forces. on any Extraordinarie Emergencie &c[a] and Defired M[r] *Speaker* alſo to Signe the Same in Order to give itt the force of an Ordinance of Aſſembly and m[r] *Speaker* being Doubtful to Signe the Same Defired Leave to Adviſe wth the houſe thereupon & accordingly withdrew.

A Meſſage from the houſe of Burgeſſes to his Excellency by M[r] *Miles Cary* and others that the Houſe were ready to attend his Excellency when he pleaſed to Command them—

Ordered

That the Clk of the General Aſſembly goe to the houſe of Burgeſſes and Command their imediate attendance on his Excellency in Council in the Council Chamber—

M[r] *Speaker* with the houſe of Burgeſſes Attending acquainted his Excellency that he had received the direc̃ons of the houſe to ſigne to that Paragraph of the houſe of Burgeſſes anſwer which accordingly he did.

After which his Excellency Spake to this Effect

That the houſe of Burgeſſes. having referred ſoe many matters to the Conſideracon of the next Seſſion of Aſſembly and the men of warr being Dayly Expected he had thought fitt to prorogue the Aſſembly noe longer. than the 18th of *June* next and hoped they would all be p[r]ſent then becauſe he believed he ſhould receive ord[rs] from *England* which would require their meeting at that time And Accordingly they were prorogued to the Said Eighteenth day of *June*.

Wil Robertſon Cl Gen[ll] Aſſembly

343-344

AT A

GENERAL ASSEMBLY

begun at the Royal College of *William* and *Mary* adjoining to the Citty of *Williamſburgh* the fifth day of *December* 1700 in the 12th year of the Reign of King *William* the third, and thence continued by Several prorogacons to the 18th day of *June* 1702 in the firſt year of the Reign of our Soveraign Lady *Anne* by the grace of God of *England Scotland, France* and *Ireland* Queen Defender of the faith &c

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1409, pp. 617-627.]

At a General Aſſembly begun at the Royal College of *William* and *Mary* adjoining to the Citty of *Williamſburgh* the fifth day of *December* 1700 in the 12th year of the Reign of King *William* the third, and thence continued by Several prorogacons to the 18th day of *June* 1702 in the firſt year of the Reign of our Soveraign Lady *Anne* by the grace of God of *England Scotland, France* and *Ireland* Queen Defender of the faith &c

---

[*June* the 18th, 1702.]

THIS day being appointed for performing the Solemnity of proclaiming her moſt Sacred Majeſty Queen *Anne*, and but few of the Gentlemen of the Council come to Town

The Council adjourned till tomorrow morning

Friday June the 19th 1702

Preſent

HIS Excellency *Francis Nicholſon* Eſqr her Matys Lievt and Governor General of *Virginia, Edmund Jenings, John Lightfoot, Benja Harriſon, Robert Carter* and *James Blair* Eſqrs

Ordered

That the Clerk of the General Aſſembly carry to the Houſe of Burgeſſes the Lords of her Matys moſt honble Privy Council their lettr to his Excellency notifying the death of our late Soveraign Lord King *William* the third, and directing the proclaiming of her Royal Majeſty Queen *Anne*, and alſo deliver to the Houſe the ſeveral following papers *viz*

Her Matys gracious declaracon at her firſt ſitting in Council at St *James*'s
Her Matys proclamation continuing all Officers &c
The Addreſs of the Houſe of Lords to her Majeſty
The Addreſs of the Houſe of Commons to her Majeſty
Her Majtys moſt gracious anſwer to the ſaid Addreſs
Her Matys Speech to both Houſes of parliament
The Addreſs of the Houſe of Lords on the 12th of *March*

Her Majeſtys anſwer to the thanks of the Houſe of Commons for her moſt gracious Speech

And the Votes of the houſe of Commons of the 17th of *March* laſt. ſettling the Revenue on her Majeſty.

And that the Clerk of the General Aſſembly acquaint the ſaid Houſe of Burgeſſes that his Excellency and the honble Council intend immediatly to proceed to the proclaiming her Majeſty according to the Forme Sent by the Lords of her Majeſtys moſt honble privy Council, and purſuant to his Excellcys proclamation bearing date the 30th day of *May* laſt, and deſire the concurrence of the Houſe of Burgeſſes.

A meſſage to his Excellency and the honble Council by Mr *William Leigh* and others, that the Houſe of Burgeſſes were ready to attend his Excellcy and their Honrs for proclaiming the Queen when his Excellcy ſhould pleaſe to command them.

Then the Council adjourned till to morrow morning 8 a clock.

Saturday

Saturday June the 20th. 1702

Preſent

HIS Excellencie *Francis Nicholſon* Eſq^r, *William Byrd, Edmund Jenings, John Lightfoot, Benj^a Harriſon, Robert Carter, James Blair* Eſq^rs

The Council being informed that the Houſe of Burgeſſes were adjourned, they alſo adjourned till 8 a clock on *Munday* morning next

---

Munday June 22d 1702

Preſent

HIS Excellencie, *William Byrd, Edmund Jenings, Jno Lightfoot, Benj^a Harriſon, Robert Carter, James Blair* Eſq^rs

Ordered

That the Clerk of the Gen^ll Aſſembly carry this following meſſage to the houſe of Burgeſſes

By his Excellency & the hon^ble Council

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

His Excellency and the hon^ble Council . . [See J. of H. of B., 1695-1702, p. 371.]

The petition of *James Adams*. Indian Interpreter praying that the uſual allowance as an Interpreter may be paid him he having ſerved as Such almoſt a year, read and

Ordered

That It be referred to ye conſideracõn of the Houſe of Burgeſſes

The petition of the Veſtry of *Norfolk* pariſh ſetting forth ſev^ll matters relating to their pariſh, read, and

Ordered

That y^e ſame be referred to ye conſideracõn of the Houſe of Burgeſſes

Then the Council adjourned till tomorrow morning 8 aclock.

Tueſday June the 23d 1702

Preſent

HIS Excellencie, *William Byrd, Edmund Jenings, John Lightfoot, Benj^a Harriſon, Robert Carter, James Blair* Eſq^rs

Ordered

That the Clerk of the General Aſſembly carry this following meſſage to the Houſe of Burgeſſes

By his Excell^cy and the hon^ble Council

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

Whereas it hath been . . . . . [See J. of H. of B., p. 371.]

Ordered

That the Clerk of the General Aſſembly carry this following meſſage to the Houſe of Burgeſſes

By his Excellency & the hon^ble Council

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

His Excellency . . . . . [See J. of H. of B., p. 372.]

A meſſage from the Houſe of Burgeſſes to his Excellency and Council by M^r *Joſeph Foſter* and others, who brought the following Reſolves

Tueſday June ye 23d 1702

By the Houſe of Burgeſſes

A motion being made that Committees be appointed and a debate thereupon ariſing The Queſtion was putt

That Committees ſhall be appointed

It paſſed in the Negative

Wm Randolph Cl H Burg^s

Ordered

Ordered

That the Clerk of the General Affembly go to the Houſe of Burgeſſes and Command their immediate attendance on his Excellency in Council in the Council Chamber

Mr *Speaker* with the Houſe attending his Excellency was pleaſed to ſay as follows

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

It having pleaſed . . . . . [See J. of H. of B., pp. 372-3.]

The petition of *John Waller* for leave to patent Some land lying in *Pamunkee* neck being read

Ordered

That it be referred to ye conſideracõn of the Houſe of Burgeſſes

Then the Council adjourned till tomorrow morning 8 aclock.

Wedneſday June the 24th 1702

Preſent

HIS Excellencie, *William Byrd*, *Edmund Jennings*, *John Lightfoot*, *Benj^a Harriſon*, *Robert Carter*, *James Blair* Eſq^rs

Ordered

That the Clerk of the General Aſſembly carry to the Houſe of Burgeſſes the following meſſage from his Excellency

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

I received yor Vote . . . . . [See J. of H. of B., p. 373.]

Ordered

That the Clerk of the General Aſſembly carry to the Houſe of Burgeſſes the following meſſage

By his Excellency

Mr Speaker *& Gent. of the houſe of Burgeſſes*

His Excellency having . . . . . [See J. of H. of B., p. 373.]

A meſſage from the Houſe of Burgeſſes by Mr *Bland* & others who in anſwer to his Excellencys aforeſaid meſſage brought the following Reſolves

Tueſday June ye 23^d 1702

By the Houſe of Burgeſſes

Reſolved

That *William Byrd* of *King* and *Queen* County in Saying that this Aſſembly were about to raiſe a Tax upon the people in this Country which would amount to Seventeen thouſand pounds a year for the uſe of the College And that Collon^ll *William Leigh* had conſented to it, is guilty of a Seditious Scandalous malitious and utterly falſe Report.

Reſolved

That the Report which *William Byrd* made that Mr *Nathaniel Harriſon* and Mr *George Marable* were taken into cuſtody about giving the Speaker ten thouſand pounds of Tobacco, is ſeditious ſcandalous malitious and utterly falſe.

Ordered that the Clerk of the Houſe Send copies of the ſ^d Reſolves of this Houſe to the Sheriff of *King* and *Queen* County And that he cauſe ye Same to be publiſhed at their County Court and in all Churches & Chappells within the ſaid County

Wm Randolph Cl H Burg^s

Upon reading and conſidering the Reſolves of the Houſe of Burgeſſes concerning ye Reports publiſhed and Spread abroad by *William Byrd* of *King* and *Queen* County. The hon^ble Council came to the following Reſolves *Viz*

Reſolved

That the hon^ble Council do agree with the Houſe of Burgeſſes that *William Byrd* of *King* and *Queen* County in Saying that this Aſſembly were about to raiſe a Tax upon the

the people in this Country which would amount to Seventeen thouſand pounds a year for the uſe of the College is guilty of a Seditious ſcandalous malitious and utterly falſe Report

Ordered

That the ſaid *William Byrd* for his ſaid Offence be ſtruck out of the Commiſſion of the peace for *King* and *Queen* County

Ordered

That the ſaid *William Byrd* appear at ye next Court held for the ſaid County of *King* and *Queen* and in open Court make a publick acknowledgement of his Said Offence, and in caſe of his Refuſal that Mr *Benj^a^ Harriſon* Council for the King proſecute him for the ſame.

Ordered

That the Juſtices of *King* & *Queen* County iſſue their warrant to the Sheriff of the ſaid County to take into his Cuſtody the body of the ſaid *William Byrd* untill he enter into Bond with good and Sufficient ſecurity for his good behaviour. And

Ordered

That the Clerk of the General Aſſembly ſend a copy of the above Orders & Reſolves to the Sheriff of *King* and *Queen* County that notice may be given to the ſaid *Wm Byrd* for his complyance therewith.

Then the Council adjourned till tomorrow morning 8 aclock.

Thurſday June the 25th 1702

Preſent

HIS Excellencie, *William Byrd, Edmund Jenings, John Lightfoot, Benj^a^ Harriſon, Robert Carter, James Blair* Eſq^rs^

A meſſage from the Houſe of Burgeſſes to his Excellency by Mr *Robert Beverley* and others who brought the following anſwer of the Houſe of Burgeſſes to his Excell^cy^ Speech

By the Houſe of Burgeſſes

May it pleaſe y^r^ Excellency

We her Matys Loyal . . . . . [See J. of H. of B., p. 375.]

And alſo the ſaid Mr *Beverley* acquainted his Excellency that the Houſe of Burgeſſes had Signed an Addreſs to her Maty, and deſired to know his Excellencys pleaſure when they ſhould attend him with ye Same.

Then the Reſolves of the Houſe of Burgeſſes, in anſwer to his Excell^cy^ Speech, were read; And thereupon

Reſolved

That the hon^ble^ Council do concur with the Houſe of Burgeſſes in the firſt part of their ſaid anſwer *Viz* that the Ordinance of the laſt Seſſion of Aſſembly giving power to the Governor with the advice of the Council upon any Alarm, Surprize, Inſurrection or Invaſion to Levy ſuitable & competent Forces to be paid by the publick &c is a Sufficient proviſion for the ſecurity of this Country on any ſuch occaſion untill there ſhall be a Seſſion of Aſſembly.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and Command their immediate attendance upon his Excellency in Council in the Council Chamber, and bring with them what they have to offer to him

Mr *Speaker* with the Houſe being come into the Council Chamber Addreſſed himſelf to his Excellency as followeth

May it pleaſe yor Excellency

The Houſe of Burgeſſes having drawn up and Signed a congratulatory Addreſs to her moſt Sacred Maty upon her Acceſſion to the Throne of her Anceſtors As a token of

of their Loyalty and affection to her Matys perſon and Government, Do now in obedience to yor Excell^cy^s commands wait on yor Excellency to pray yor favour and Aſſiſtance in getting the ſame tranſmitted to her Majeſty.

And then delivered the ſ^d Addreſs to his Excellency

After which his Excellency was pleaſed to acquaint the Houſe to this effect, that having conſidered their anſwer to his Speech he had thought fitt on Acco^n of the buſie time of the year to give them a Receſs, but before he prorogued them he muſt premiſe to them that he was ſtill in expectacon of receiving Orders from *England* which obliged him not to put off their meeting for any long time And therefore he prorogued them till the twelfth day of *Auguſt* next And that accordingly they were prorogued: Yet leaſt they ſhould be put to any unneceſſary trouble his Excell^cy was further pleaſed to tell them that he did not intend they ſhould meet at that time unleſs betwixt [this] and then they ſhould hear that ſome new Orders from *England* were arrived.

Wil Robertſon Cl Gen^ll Aſſembly

351-352

AT A

GEN^LL ASSEMBLY

begun at the Royall Colledge of *W^m* and *Mary* adjoyning to the City of *W^m's burgh* the 5th day of *Decembr* 1700 in ye 12th year of the Reign of King *W^m* the third and thence Continued by fev^ll Prorogations to ye 14th day of *Aug^t* 1702 in ye first year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France* & *Ireland* Queen defender of the faith &c

[From a very early copy of the Journal in the *Virginia* State Library.]

At a Gen^{ll} Aſſembly begun at the Royall Colledge of *W^{m}* and *Mary* adjoyning to the City of *W^{m}ſburgh* the 5th day of *Decemb^{r}* 1700 in ye 12th year of the Reign of King *W^{m}* the third and thence Continued by ſev^{ll} Prorogations to ye 14th day of *Aug^{t}* 1702 in ye firſt year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France* & *Ireland* Queen defender of the faith &c

---

[*Auguſt* 14th, 1702.]

Preſent

HIS Excell^{y} *Francis Nicholſon* Eſq^{r} her Maty^{s} Lieu^{t} and Govr Gen^{ll} of *Virg^{a}*, *Edm^{d} Jenings*, *Benj^{a} Harriſon*, *Robt Carter*, *James Blair* Eſq^{rs}

Ordered That ye Clk of ye Gen^{ll} Aſſembly go to the houſe of Burgeſſes and Command their Immediate attendance upon his Excell^{cy} in Council in the Council Chamber

Mr *Speaker* with ye houſe attending his Excell^{cy} was pleaſed to make the following Speech

Honorable Gentlemen

I have lately had a paper . . . [See J. of H. of B., 1695-1702, p. 379.]

Upon reading a Lett^{r} to his Excell^{cy} from Lt Coll *Wm Randolph* Clk of the houſe of Burgeſſes repreſenting that he hath been ſo afflicted wth ye Gout that he could not propoſe in any reaſonable time to go abroad neither could he pretend to officiate ſuch a place as Clk of ye houſe of Burgeſſes wch required his perſonal attendance His Excell^{y} was pleaſed to appoint *Wm Randolph* Junior Son to y^{e} ſaid Lt Coll *Wm Randolph* to officiate as Clk of ye houſe of Burgeſſes during his fathers illneſs and

Ordered That a Commiſſion be prepared accordingly

A meſſage to his Excell^{y} from ye houſe of Burgeſſes by M^{r} *Wm Leigh* and others that ye houſe had Commanded them to wait on his Excellcy & to deſire that his Excell^{y} will pleaſe to appoint a Clk to do the buſineſs of the houſe of Burgeſſes

And then the Council adjournd till to morrow Morning 8 a Clock

---

Saturday Augt 15th 1702

Preſent

HIS Excellencie, *Edm^{d} Jenings*, *Benj^{a} Harriſon*, *Robt Carter*, *James Blair* Eſq^{rs}

A Comiſſion being (according to order) prepared Impowring *William Randolph* ſon to Lt Coll *Wm Randolph* to officiate Clk of the houſe of Burgeſſes during his fathers illneſs was read: approved and Signed by his Excellency in Council

William Randolph Junior Comiſſioned by his Excellcy to officiate as Clk of the houſe of Burgeſſes during his fathers illneſs took ye oaths appointed by act of parlim^{t} to be taken in Stead of the oath of allegiance & Supremacy Subſcribed ye teſt and took the oath of Clk of the houſe of Burgeſes: Which was Certified as uſuall

And then ye Council adjourned till *Munday* Morning 8 a Clock

Munday

Munday Augt 17th 1702

P^{r}ſent

HIS Excellencie, *Edm^{d} Jenings, Benj^{a} Harriſon, Robt Carter, James Blair* Eſq^{rs}

His Excellency Communicated to the hon^{ble} Council a Speech wch he intended to make to the Houſe of Burgeſes and ye Same was read

The Grievances of the Inhabitants of *Charles City* County on y^{e} ſouth ſide of *James* River read and

Ordered That ye Same be Referred to ye Conſideracõn of the houſe of Burgeſes

A meſſage from ye houſe of Burgeſes to his Excell^{y} by M^{r} *Wm Leigh* and others who brought the following Reſolve

Munday Augt 17th 1702

By the houſe of Burgeſes

Reſolved Nemine Contradicente That it is not Convenient to proceed upon the Reviſal of the laws at this time

Wm Randolph Junr Clk H Burgeſſes

And then the Council adjourned till to Morrow Morning 8 a Clock

---

Tueſday Augt the 18th 1702

P^{r}ſent

HIS Excellency, *Edm^{d} Jenings, Benj^{a} Harriſon, Robt Carter, James Blair* Eſq^{rs}

A petiõn of *Thomas Pate* praying that he may have the Sole Priviledge of keping a ferry at *York towne* without ye Interruption of any other perſon and alſo

A Petiõn of *Mungo Somerwell* praying that he may have y^{e} ſole Priviledge of keeping ferry there excluſive of all others

Were Severally read and

Ordered that they be Referred to ye Conſideracõn of the houſe of Burgeſes

The Propoſition of Sev^{ll} Inhabitants of *James City* County on ye South ſide of *Chickahominy* River praying that (in caſe the bill for dividing *Charles City* County take effect) So much of *James City* County as lyes between *James* River and *Chickahominy* River may be added to ye North part of *Charles City* County and alſo that ye Same may be made into one Pariſh: Being read

Ordered that ye Same be Referred to ye Conſideracõn of the houſe of Burgeſes

The petiõn of *Benj^{a} Lillingſton* praying allowance for his attendance on his Excell^{y} and Council three meetings or Seſſion of Aſſembly: read and

Ordered That ye Same be Referred to ye Conſideracõn of the houſe of Burgeſes

Ordered That the Clk of ye Gen^{ll} Aſſembly go to the houſe of Burgeſes and Command their Immediate attendance on him and the Council in the Council Chamber

Mr *Speaker* wth the houſe attending his Excell^{y} was pleaſed to ſay as followeth

Gentlemen

By the divine permiſſion . . . [See J. of H. of B., pp. 382-83.]

Then ye Council adjoũrned till to Morrow Morning 8 a Clock

---

Wedneſday Augt 19th 1702

Preſent

EDM^{D} JENINGS, Benj^{a} Harriſon, Robt Carter, James Blair Eſq^{rs}

Charles Evans appointed by the houſe of Burgeſſes Clk of ye Comittee for propoſitions & Grievances took ye oaths appointed by act of parlim^{t} to be taken inſtead of the oaths of allegiance & Supremacy Subſcribed ye teſt and took ye oath of Clk of y^{e} ſaid Committee wch was certified as Uſuall

Ordered

That ye Clk of the Gen^{ll} Aſſembly carry ye following Meſſage to the houſe of Burgeſſes

By

By his Excellency & ye hon^ble Council

Mr Speaker *& Gent of ye houſe of Burgeſſes*

The building of the Capitol . . . [See J. of H. of B., p. 385.]

Then the Council adjourned till to Morrow Morning 8 a Clock

Thurſday Augſt 20th 1702

Preſent

EDM^D *JENINGS, Benj^a Harriſon, Robt Carter, James Blair*

A Grievance from *King William* County: read and

Ordered

That it be referred to the Conſideracõn of the houſe of Burgeſſes

Adjourned till 3 a clock afternoon

Poſt Merediem

P^reſent

HIS Excellencie, *Edm^d Jenings, Ben^a Harriſon, Robt Carter, James Blair* Eſq^rs

The Peticon of Capt *Robt Snead* praying to have ye ſole priviledge of keeping the ferry at *York Town*: read &

Ordered

That y^e ſame be Referred to ye conſideracõn of the houſe of Burgeſes

The Petition of *Barnabie Markinne* & other inhabitants on the ſouth ſide *Black water* ſwamp praying leave to y^e ſaid *Markinne* to erect a Griſt mill there, read and

Ordered

That y^e ſame be Referred to ye Conſideracõn of the houſe of Burgeſes

A peticon of *Chicheley Corbin Thacker* Clk of ye Secretarys office praying allowance for entring ye Laws of five ſeſſions of Aſſembly in ye Countrys Law Book

And alſo

A Peticon of y^e ſaid *Chicheley Corbin Thacker* praying that Mr *Secretary* may be allowed for writts for election of Burgeſes iſſued out of his office ſince laſt Seſſion of Aſſembly was read and

Ordered

That they be Severally Referred to ye Conſideracõn of the houſe of Burgeſes

And then ye Council adjourned till to Morrow Morning 8 a Clock

---

Friday Augt 21: 1702

P^reſent

HIS Excellency, *Edm^d Jenings, Benj^a Harriſon, Robt Carter, James Blair* Eſq^rs

A meſſage from ye houſe of Burgeſes to ye Council by Mr *Miles Carey* and others y^t ye houſe had then appointed a Committee to Joine wth ſuch of the hon^ble Council as their Hon^rs ſhould appoint to adjuſt all matters relating to the Capitoll according to his Excell^cys and their hon^rs propoſitions to the houſe of Burgeſes

Reſolved and accordingly Ordered

That *Edmund Jenings Benj^a Harriſon* and *Robt Carter* Eſq^rs be appointed as Committee to Joine wth ye Committee of ye houſe of Burgeſes to adjuſt all Matters relating to ye Capitol

And then ye Council adjourned till to Morrow Morning 8 a Clock

Saturday

Saturday Auguſt 22d 1702

Prſent

HIS Excellency, *Edmd Jenings, Benja Harriſon, James Blair* Eſqrs

A meſſage from ye houſe of Burgeſes to his Excellcy by Mr *Wm Leigh* and others That ye houſe had Commanded them to wait on his Excy to know his pleaſure when they ſhould attend him wth an addreſs in Anſwer to his Speech

Upon wch his Excellcy was pleaſed to Say they might come now

Mr *Speaker* wth ye houſe attending preſented an addreſs to his Excellcy in ye following words

To his Excellcy Francis Nicholſon *Eſqr her Matys Lieut and Govr Genll of* Virga *May it pleaſe yr Excellcy*

We her Matys Loyall . . . [See J. of H. of B., p. 389.]

Ordered

That ye Clk of ye Genll Aſſembly carry to ye houſe of Burgeſes the following Meſſage

By his Excellency & ye honble Council

Mr Speaker *and Gent of the houſe of Burgeſſes*

Upon peruſal of ye Survey . . . [See J. of H. of B., p. 391.]

And then ye Council adjourned till *Munday* Morning 8 a Clock

---

Munday Augt 24th 1702

Prſent

HIS Excellencie, *Edmd Jenings, Jno Lightfoot, Benja Harriſon, James Blair* Eſqrs

A meſſage from ye houſe of Burgeſs to ye Council by Mr *Wm Leigh* and others who brought ye following Engroſſed Bills *Viz*

A Bill for deviding *Charles City* County

A Bill for ye Regulacon and Settlemt of ferrys and for diſpatch of publick Expreſſes and for ye Speedy tranſporting of forces over Rivers and Creeks in time of dangr

And a bill prohibiting Seamen being harboured or Entertained on Shore

To wch they deſire ye Council Concurrence

An Engroſſed bill from ye Burgeſs Ent *an act for deviding* Charles City *County* Read ye firſt time and ordered a ſecond Reading

An Engroſſed Bill from ye Burgeſs Ent *an act for yr Regulacon and Settlemt of ferrys and for diſpatch of publick Expreſs and for yr Speedy tranſporting ffforces over Rivers and Creeks in time of dangr* Read the firſt time and ordered a Second Reading

An Engroſſed bill from ye Burgeſs Ent *an act prohibiting Seamen being harboured or entertained on Shore*

Read ye firſt time and ordered a Second Reading

And then ye Council adjourned till to Morrow Morning 8 a Clock

---

Auguſt 25th 1702

Prſent

HIS Excellency, *Edmd Jenings, John Lightfoot, Matth: Page, Benja Harriſon,* and *James Blair* Eſqrs

An Engroſſed bill from ye Burgeſs Entd a bill for ye Regulacon and Settlemt of ferrys and for diſpatch of publick Expreſes and for ye Speedy tranſporting forces over Rivers and Creeks in time of dangr was read ye Second time and ordered a third Reading

An Engroſſed bill from ye Burgeſs Ent a bill prohibiting Seamen being harboured or entertained on Shore: read ye ſecond time and ordered a third reading and

An Engroſſed bill from ye Burgeſs Ent a bill for ye deviding *Charles City* County read ye Second time and ordered a third reading

Adjourned till two a Clock afternoone

Poſt

Poſt Meridiem

Prſent

HIS Excellency, *Edm^d Jenings, John Lightfoot, Matth: Page, Benj^a Harriſon,* and *James Blair* Eſq^rs

Upon reading ye addreſs of ye houſe of Burgeſ^s to his Excell^cy of ye 22^d *inſtant* The Council came to ye following Reſolves *Viz* As to ye part of y^e ſaid Addreſs relating to ye fortificaçons and Navall Forces

Reſolved That ye Council do concur wth ye houſe of Burgeſ^s in their Reſolves thereupon

As to y^t part of y^e ſaid addreſs in anſwer to his Excell^cy^s propoſition concerning Ships that now are or hereafter ſhall arrive in ye Country whether to lett them go Singly as they are Loaded or to ſtop them in hopes of ſome accidentall Convoy or till they be twenty to Sail enough to make a fleet of themſelves

Reſolved

That for as much as there are but few Ships now in ye Country and no proſpect of any Convoy therefore y^e ſaid Ships at preſent in ye Country have leave to Sail as they are Loaden

And upon Conſidering y^t part of ye above ſ^d addreſs giving pow^r to ye Govr wth advice of ye Council on any accident to Levy ſuitable and Competent forces &c

Ordered

That ye Clk of ye Gen^ll aſſembly carry ye following meſſage to ye houſe of Burgeſ^s

By ye hon^ble Council

Mr Speaker *and Gent of ye houſe of Burgeſſes*

Upon peruſal of y^t part of y^e . . . . . [See J. of H. of B., p. 393.]

An Engroſſed bill from ye Burgſ^s Ent a bill for ye Regulaçon and Settlem^t of ferrys and for diſpatch of publick Expreſes and for ye Speedy tranſporting forces over Rivers & Creeks in time of dang^r

And alſo

An engroſſed bill from ye Burgeſ^s Ent a bill prohibiting Seamen being harboured or entertained on Shore

Were Read ye third time and Severally agreed to by ye hon^ble Council without any Amendm^t

Ordered

That ye Clk of ye Gen^ll Aſſembly carry y^e ſaid two bills to ye houſe of Burgeſ^s and acq^t them y^t ye Council have agreed thereunto without any Amendm^t

An Engroſſed bill from ye Burgeſ^s Ent a bill for deviding *Charles City* County Read ye 3^d time and agreed to by ye Council wth and Amendm^t

Ordered

That ye Clk of ye Gen^ll Aſſembly carry y^e ſaid Bill to ye houſe of Burgeſ^s & acq^t them y^t ye Council have agreed thereto wth an amendm^t

A meſſage to his Excell^y from ye houſe of Burgeſ^s by Mr *Miles Carey* and others who acq^t his Excellcy that they were commanded by ye houſe to preſent to his Excell^y the Reſolves of ye houſe in anſw^r to his Excell^cy^s and ye Councils meſſage to them on *Saturday* laſt wch Reſolves is as follows

Monday Augt ye 24th 1702

By ye houſe of Burgeſ^s

A meſſage from his Excellcy and ye hon^ble Council on *Saturday* . . . . . [See J. of H. of B., p. 392.]

A meſſage from ye houſe of Burgeſ^s to ye Council by Mr *Miles Carey* and others who brought ye Book of Publick Claimes to wch they deſire their hon^rs Concurrence

And

And alſo acquainted their honrs yt ye houſe of Burgeſs had agreed to the Amendmt propoſed by their Honrs to ye bill for deviding *Charles City* County and had inſerted it therein

And ye ſaid bill being aſſented to by ye Council was delivered back to ye ſaid Mr *Miles Cary*

And then ye Council adjourned till to Morrow Morning 8 a Clock

---

Wedneſday Augt 26th 1702

Prſent

HIS Excellency, *Edmd Jenings, Jno Lightfoot, Matth: Page, Benja Harriſon, Robt Carter, James Blair* Eſqrs

Edmd Jenings Eſqr from ye Committee apointed to Joine wth ye Committee of ye Burgeſes for appropreating the Roomes and adjuſting all Matters relating to ye Capitol reported their Reſolutions thereon wch he delivered at ye table where ye Same were Read and agreed to by ye honble Council and are as followth

That ye building to the weſtward . . . . . [See J. of H. of B., pp. 394-95.]

Ordered

That ye Clk of ye Genll Aſſembly carry to ye houſe of Burgeſs the Liſts of the Militia wth ye following Meſſage from his Excellcy in writing

Mr Speaker *and Gent of yt houſe of Burgeſſes*

I herewth ſend yu . . . . . [See J. of H. of B., p. 394.]

Upon reading ye Book of Claimes of ye Aſſembly held in *Augt* 1701 *Benja Harriſon* and *Robt Carter* Eſqrs objected againſt that article of ten thouſand pounds of Tobbo and Cask to ye Speaker of ye houſe of Burgeſs becauſe the ſaid allowance hath been diſcontinued ever Since ye Year 1695 and they did not think it Reaſonable to revive it now

The queſtion was put to ye whole Council if ye ſaid ten thouſand pounds of tobbo ſhall be allowed

And *it paſſed in ye Negative* it being an Unneceſſary charge only Mr Secry *Jening* deſired yt his Diſſent to ye ſd vote might be entered on ye Journall

His Excellency then acquainted ye Council yt he thought ye ſaid Book of Claimes wth yt very article was allowed in *Augt* laſt upon the houſe of Burgeſs allowing ye Sum of 146 £. 8 s. 3 of extraordinary charges and ye Sum of Sixty three pounds paid by Mr Audr *Byrd* for land for ye Govrs Houſe wch two articles his Excellcy hath told ye houſe of Burgeſes he doth not now inſiſt on having recd no orders from *England* about them and therefore he is of ye opinion that ye ſaid book is paſt and yt ye houſe of Burgeſes are ye moſt proper Judges of the Meritt and Rewards due to their own officers and it hath been for much longer time allowed then diſallowed and what reaſons they had for ſo doing are beſt known to themſelves: This article hath been allowed by two houſes of Burgeſs one after another, and if upon its not being allowed here ye houſe of Burgeſs ſhould refuſe to paſs the whole Book of Claimes it will be a Grievious oppreſſion upon ye Subject (there being two Years Claimes due) and may in Some ſort indangr ye peace and quiet of this her Matys Colony and Dominion of *Virga* and this ſum of ten thouſand pounds of Tobbo will not amount to half a pound ℔ pole

The Council proceeded to ye Conſideracon of the Book of Claimes made up in *May* laſt and this Prſent Seſſion: and after reading ye Same over

Adjourned for an hour

Poſt

Poſt Meridiem

THE Council having reſumed ye conſideracõn of the Book of Claimes and agreed thereto wth an Amendm^t^ y^t^ ye ten thouſ^d^ pounds of Tobacco and Cask to Mr *Speaker* be expunged

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry ye book of Claimes to ye H Burgeſ^s^ and acq^t^ them ye Council have agreed thereto wth an amendm^t^

A meſſage from ye houſe of Burgeſ^s^ to ye Council by Mr *Miles Carey* and others y^t^ ye houſe had Commanded them to wait on their Hon^rs^ wth ye Bookes of Claimes and repreſ^t^ [preſent] their hon^rs^ wth a Reſolve of the houſe in anſw^r^ to their amendm^t^ for expunging out of y^r^ Book of Claimes ye article of 10000 L of Tobb^o^ to ye Speaker wch Reſolve is in theſe words *viz*

*By the Houſe of Burgeſ^s^*

*Aug^t^* ye 26th 1702

Reſolved

That ye houſe doth adhere to their form^r^ Reſolve in giving Major *Peter Beaverly* Speaker of ye Houſe ten thouſand pounds of tobb^co^ and that ye houſe will not recede from ye Same

Wm Randolph Cl H Burgeſ^s^

And y^e^ ſaid Mr *Miles Carey* preſented to ye Council an ordinance for ye defence of ye Country in time of dang^r^ and deſired their hon^rs^ Concurrence thereto and the ſ^d^ ordinance was read and agreed to by the hon^ble^ Council without amendm^t^

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry y^e^ ſaid ordinance to ye houſe of Burgeſ^s^ and acq^t^ them y^t^ ye Council have agreed thereto w^thout^ any amendm^t^

A meſſage from ye houſe of Burgeſ^s^ to his Excell^cy^ by M^r^ *Wm Leigh*, Mr *Miles Cary* and Mr *Gawin Corbin*

*May it pleaſe y^r^ Excell^cy^*

We are comãnded by ye houſe of Burgeſ^s^ to wait upon y^r^ Excell^y^ and to deſire y^r^ Excell^y^ to ſignify yor pleaſure when ye houſe ſhall attend you wth an addreſs

To wch his Ex^y^ anſwered now if they pleaſed

Mr *Speaker* wth ye houſe being come into ye Council Cham^r^ firſt read: and afterward delivered to his Excell^y^ ye following addreſs

*To his Excell^cy^* Francis Nicholſon *Eſq^r^ her Matys Lieu^t^ and Gou^r^ Gen^ll^ of* Virg^a^

The humble addreſs of the houſe of Burgeſſes

May it Pleaſe y^r^ Excellency

We her Matys moſt Loyal . . . . . [See J. of H. of B., p. 395.]

Whereupon his Excellency made the following Anſwer

Gentlemen

I return you thanks for y^r^ kind addreſs In it you have given me a patern of a good Govern^r^ wch I ſhall always endeavour to follow and I ſhall make it my Conſtant prayers to almighty God that he would be pleaſed to enable me ſo to do you may depend upon it that I ſhall on all occaſions be ready to venture my Life and fortune for her Matys Service and the defence of this Country

As to ye Expreſſions of y^r^ Loyalty to her moſt Sacred Maty (wch indeed I ſhould have anſwered firſt but y^t^ it now comes in ye Courſe of y^r^ addreſs as I have formerly done ſo I ſhall always give you ye Character of a Loyal and Dutiful People to ye Crown of *England* and I hope that God almighty will enable me to performe my ſincere intentions of diſcharging my duty to him and her Maty and to do all ye good I can to *Virg^a^* This Aſſembly being like to continue but a ſhort time I hope as you have hitherto proceeded wth concord ſo you will Continue ſo that we may all part in Amity

Then the Council took into Conſideracõn ye Reſolve of ye houſe of Burgeſ^s^ upon ye amendm^t^ to ye Book of Claimes and affter ſome time ſpent therein His Excellency acquainted

acquainted the Council y^t in ye paſſing of ye Claims he demanded a priviledge to ſitt and vote as preſident of the Council And upon ſome further debate on ye Subject matter of the ſaid amendm^t and Reſolve in anſwer thereto

Reſolved

That ye Council doth agree to ye Book of Claimes except y^t article giving ten thouſand weight of tobb^o to Major *Peter Beaverly* Speaker of ye houſe of Burgeſ^s wch article they propoſe may be ſubmitted to ye determination of ye Lds Comm^rs for trade and plantaçons and in the mean time y^t ye Levy be laid without it

Ordered that ye Clk of ye Gen^ll Aſſembly carry a Copy of y^e ſaid Reſolve together wth ye book of Claimes to ye houſe of Burgeſ^s

A meſſage from ye houſe of Burgeſ^s to ye Council by Mr *Miles Carey* and others who brought back ye Book of Claimes wth ye following Reſolve *viz*

By ye houſe of Burgſ^s

Augt ye 26th 1702

Upon Conſideration of ye Hon^rs . . . . . [See J. of H. of B., p. 396.]

Then ye Council adjourned till to Morrow Morning 7 a Clock

Thurſday Augt 27: 1702

P^r^ſent

HIS Excellencie, *Edm^d Jenings, Jno Lightfoot, Matth: Page, Benj^a Harriſon, Robt Carter, James Blair* Eſq^rs

Upon reading ye Reſolve of the houſe of Burgeſ^s delivered on yeſterday concerning ye allowance to ye Speaker

Ordered

That *Benj^a Harriſon* & *Robt Carter* Eſq^rs be appointed a Comittee to draw up an Anſwer to the ſaid Reſolve

A peticon of Mr Secretary *Jenings* praying allowance for 409 Military Comiſſions lately Iſſued out of his office and that it may be aſcertained by whome y^e ſaid ffee ſhall be paid for ye future Read and

Referred to ye Conſideraçon of ye houſe of Burgeſ^s

Benj^a Harriſon Eſq^r from ye Comittee appointed to draw up an anſwer to ye Reſolve of ye Burgeſ^s delivered on Yeſterday concerning ye allowance to ye Speaker reported ye Reſolutions they had come to thereupon wch he delivered in at ye table where ye Same were read and agreed to by ye Council excep^t Mr Secretary *Jenings* who propoſed an expedient for compaſſing that difference

Ordered

That ye Clk of ye Gen^ll Aſſembly carry to ye houſe of Burgeſ^s the following Reſolves of ye Council in anſwer to ye Meſſage Yeſterday concerning ye allowance to the Speaker *Viz^t*

By the Council

Upon Conſideraçon of y^e . . . . . [See J. of H. of B., p. 397.]

Whereupon his Excell^cy Ordered ye Clk of ye Gen^ll Aſſembly to carry to ye houſe of Burgeſ^s ye following written meſſage from him Self relating to ye above Reſolve of ye Council

Mr Speaker & *Gent of ye houſe of Burgeſ^s*

I ſend you herew^th a Copy . . . . . [See J. of H. of B., p. 397.]

A meſſage from ye houſe of Burgeſ^s to ye Council by Mr *Miles Carey* & others

May it pleaſe y^r Hon^rs

We are comanded by ye houſe of Burgeſes to return y^r Hon^rs ye Book of Claimes and to acquaint you wth what our Speaker & ye houſe have done upon y^r laſt Meſſage

By

By ye houſe of Burgeſſes .

Augt 27—1702

May it Pleaſe y^r hon^r

In anſwer to your Meſſage . . . . . [See J. of H. of B., pp. 398-99.]

Reſolved

That ye Council do agree to ye Book of Claimes as amended

Ordered

That ye Clk of ye Gen^ll Aſſembly carry y^e ſaid Book of Claimes to ye houſe of Burg^s and acquaint them y^t y^e ſame were agreed to by his Excellency and alſo by ye hon^ble Council

A meſſage to the Council by Mr *Miles Carey* and others who brought ye following Reſolve to wch they deſire ye Councils Concurrence

By ye houſe of Burgeſſes

Augt ye 27th 1702

Reſolved

That ye houſe doth agree to give . . . . . [See J. of H. of B., p. 399.]

And y^e ſaid Reſolve was aſſented to by his Excell^cy and ye Honble Council

Ordered

That ye Clk of ye Gen^ll Aſſembly carry y^e ſaid Reſolve to ye houſe and acquaint them y^t ye Same is aſſented to by his Excell^cy and ye hon^ble Council

A meſſage to ye Council by Mr *Richd Bland* & others y^t ye houſe of Burgeſ^s had paſſed Mr *Treaſurers* Acc^tts and deſired their hon^rs Concurrence thereto

The ſaid acc^tts were then peruſed and paſſed by his Excell^cy and ye hon^ble Council: and ordered to be returned to ye houſe

And then ye Council adjourned till to Morrow Morning 8 a Clock

---

Friday Augt 28th 1702

Preſent

HIS Excellency, *Ed: Jenings, J^no Lightfoot, Matth Page, Robt Carter, & Ja: Blair* Eſq^rs

Ordered

That ye Clk of the Gen^ll Aſſembly go to the Houſe of Burg^s and command their immediate attendance on his Excell^cy in ye Council Chamber

Mr *Speaker* wth ye houſe attending his Excell^cy was pleaſed to ſay

Mr Speaker *and Gent of ye houſe of Burgeſ^s,*

It having pleaſed the Almighty . . . . . [See J. of H. of B., pp. 400-01.]

Mr *Miles Cary* and others wait upon his Excell^cy and preſent ye following addreſs from ye houſe of Burgeſ^s *Viz*

May it pleaſe y^r Excell^cy

Your Excellency's kind Meſſage . . . . . [See J. of H. of B., p. 401.]

A meſſage from ye houſe of Burgeſ^s to ye Council by Mr *Miles Carey* and others who brought ye book of proportions and an Engroſſed bill for Laying a publick Levy and alſo two orders of ye houſe of Burg^s for paying Sev^ll Sums out of ye impoſition fund to wch they deſire ye Councils Concurrence

The ſaid two orders were read as follow^th *Viz*

By ye Houſe of Burg^s

Augt 28: 1702

Ordered

That y^e ſum of Six hundred . . . . . [See J. of H. of B., pp. 401-02.]

And

And y^e^ ſaid two ord^rs^ wth ye book of proportions being aſſented to by his Excell^cy^ and ye hon^ble^ Council

Ordered

That ye Clk of ye Gen^ll^ Aſſembly return y^e^ ſaid two orders & Book to ye houſe of Burg^ss^ and acq^t^ them that his Excell^cy^ and ye hon^ble^ Council have aſſented to ye Same

An Engroſſed bill from ye Burgeſ^s^ Ent a bill for raiſing a publick Levy read and aſſented to by the hon^ble^ Council

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry y^e^ ſaid bill to ye houſe of Burgeſ^s^ and acq^t^ them y^t^ ye Council have aſſented thereto without any Amendment

A meſſage from ye houſe of Burgeſ^s^ to ye Council by Mr *Miles Cary* & others who brought ye Inrolled bills paſt this Seſſion to be examined by ye Council

And after ye Council had peruſed them *Ordered* that ye Clk of ye Gen^ll^ Aſſembly return y^e^ ſaid bills to ye houſe

Ordered

That ye Clk of ye Gen^ll^ Aſſembly go to ye houſe of Burg^ss^ and command their immediate attendance upon his Excell^cy^ in ye Council chamber and that they bring wth them what bills they have for him to paſs

The houſe attending Mr *Speaker* Spoke as follows

*May it Pleaſe y^r^ Excell^cy^*

In obedience to y^r^ Excellcy^s^ commands the Houſe of Burg^ss^ do now attend y^r^ Excell^cy^ wth ſev^ll^ Bills and an Ordinance of Aſſembly agreed upon this Seſſion by the hon^ble^ Council and themſelves moſt of w^ch^ (metaphorically compared) may be ſaid to be Scions of y^r^ Excellcy^s^ ſpeeches now grown up into trees adorned wth Sev^ll^ Branches and we hope they have been ſo carefully tended by us as to receive y^r^ Excellcy^s^ approbacon the titles of them are theſe

An Act for ye regulacon and Settlem^t^ of fferrys and for diſpatch of publick Expreſſes and for y^e^ ſpeedy tranſporting forces over Rivers & Creeks in time of Danger

An act for deviding Charles City *County*

An Act Prohibiting Seamen being harboured or entertained on Shore

An Act for laying a Public Levy

And an Ordinance of Aſſembly for defence of ye Country in time of danger

Which acts and Ordinance were all Signed by his Excell^cy^ and Mr *Speaker*

And then his Excell^cy^ ſpoke to this Effect, That he was very glad this Seſſion was come to a friendly concluſion recommended to the Burgeſſes to preſerve peace and concord in their ſev^ll^ Countys, and that they would endeavor to promote the Royal College of *William* and *Mary*. That he had nothing further, but to thank them in her Matys name for the expreſſions of their Loyalty and duty, and to tell them (tho with regrett) that he muſt Diſſolve them, and that accordingly they were diſſolved.

True copy Examined ℔

Wil Robertſon Cl Gen Aſſembly

363-364

AT A

GEN^{LL} ASSEMBLY

Summoned to begin at her Matys Royal Colledge of *W^{m}* & *Mary* adjoyning to the City of *Williamſburgh* the 19th day of *March* 1702 in the ſecond year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France* & *Ireland* Queen Defender of the Faith &c and by prorogacon continued & holden on ye 19th day of y^{e} ſd moneth of *March* 1702

[From the Public Record Office *London*, Colonial Office, Clafs 5, Vol. 1412, pp. 461-503.]

At a Gen^{ll} Aſſembly Summoned to begin at her Matys Royal Colledge of *W^{m}* & *Mary* adjoyning to the City of *Williamſburgh* the 19th day of *March* 1702 in the ſecond year of the Reign of our Sovereign Lady *Anne* by the Grace of God of *England Scotland France* & *Ireland* Queen Defender of the Faith &c and by prorogacon continued & holden on ye 19th day of y^{e} ſd moneth of *March* 1702

[*March* 19th, 1702/3.]

Preſent

HIS Excell^{cy} *Francis Nicholſon* Eſq^{r} her Matys Liev^{t} & Govr Gen^{ll} of *Virginia*, *Edmund Jenings*, *John Lightfoot*, *Phillip Ludwell*, *Henry Duke* Eſq^{rs}

His Excell^{cy} Signed a Commiſſion to *Wm Byrd Edm^{d} Jenings* & *Henery Duke* Eſq^{rs} Impowring them or any two of them to adminiſter the oaths appointed by Act of Parlim^{t} to be taken inſtead of the oaths of allegiance and Supremacy the Teſt and oath of a Burg^{s} to every elected Member of this Aſſembly. And accordingly the ſaid *Edm^{d} Jenings* and *Henry Duke* Eſq^{rs} went to the houſe of Burg^{s} to Adminiſter the ſaid Oaths

William Byrd & *James Blair* Eſq^{rs} Preſent

Edm^{d} Jenings Eſq^{r} one of the members of the Committee appointed for Reviſal of the Laws acquainted his Excell^{cy} that y^{e} ſaid Comm^{tee} having finiſhed the buiſneſs of the Reviſal had Directed him to lay before his Excell^{cy} the ſev^{ll} Bills they had Prepared and to pray that his Excell^{cy} would Pleaſe to recommend them to the Gen^{ll} Aſſembly

Ordered that ye Clk of the Gen^{ll} Aſſembly go to the Houſe of Burgeſſes and acquaint them that his Excell^{cy} commands their immediate attendance on him in the Council Chamber

Where being come His Excell^{cy} ſpoke as followth

Gent.

I am very glad to ſee ſo many of you mett the thing I recommend to you is that you returne to yor houſe and make choiſe of a Speaker & as Soon as you have done to let me know it

A Meſſage from the Houſe of Burg^{s} to his Excell^{cy} by M^{r} *Wm Leigh* and others that the houſe had made choiſe of their Speaker and had appointed them to wait on his Excell^{cy} to know his Pleaſure when they Shall preſent him

To wch his Excell^{cy} made Anſwer that he would give them Notice by a Meſſage

Liev^{t} Coll^{o} *Wm Randolph* late Clk of the houſe of Burg^{s} being elected a Burgeſs for *Henerico* County and having by a Letter to his Excell^{cy} deſired to be diſcharged from his ſaid office of Clk His Excellcy was Pleaſed upon the Petiĉon of *Robt Beaverly* Gent to Commiſſionate him the ſaid *Robt Beaverly* to be Clerk of the houſe of Burgeſſes

A Commiſſion being prepared Impowring *Wm Byrd Edm^{d} Jenings* and *Henery Duke* Eſq^{rs} to adminiſter ye oaths appointed by act of Parlim^{t} to be taken inſtead of the oaths of allegiance & Supremacy the teſt and oath of their reſpective offices to the Clk of the houſe of Burgeſſes & Clks of the Committees was Signed by his Excell^{cy} in Council

Robt Beaverly Gent Commiſſionated by his Excell^{cy} to be Clk of the houſe of Burgeſſes took ye oaths appointed by act of parlim^{t} to be taken inſtead of the oaths of allegiance

giance and Supremacy Subſcribed the teſt and took ye oath of Clk of the Houſe of Burg^s^ wch was certified as Uſual by the Gent Appointed to adminiſter the Same

Ordered

That the Clk of ye Gen^ll^ Aſſembly go to the houſe of Burg^s^ and acquaint them that his Excell^cy^ hath thought fitt to appoint to Morrow Morning at 8 a Clock for their attending him wth their Speaker

And then the Council Adjourned till to Morrow Morning

Saturday March the 20th 1702

Preſent

HIS Excellency, *Edmund Jenings*, *James Blair*, *Henery Duke* Eſq^rs^

John Gill and *Stephen Gill French* Refugees took ye oaths appointed by Act of Parlim^t^ to be taken inſtead of the oaths of Allegiance & Supremacy & Subſcribed the teſt in Order to their Naturalization

Jno Lightfoot Eſq^r^ Preſent

In Obedience to his Excell^cys^ appointment The houſe of Burg^s^ attended his Excell^y^ and *Peter Beaverly* of the County of *Glocefter* Gent being preſented as their Speaker Addreſſed himſelf to his Excellcy as follow^th^

May it Pleaſe yor Excellency.

The Burg^s^ In Obedience to yor Excell^cys^ Commands having proceeded to ye choice of a Speaker have Ordered me to Serve in that Station Out of the zeal I bear to her Matys Service the good of the Country & the hon^r^ of my fellow Members it would have been more to my Satisfaction had they been pleaſed to make choice of an Abler Perſon for ſo great a work; but ſince they have proceeded ſo far I muſt Submitt, and Leave it to yor Excell^cys^ Approbacon & Allowance

To W^ch^ his Excell^cy^ anſwered to this effect, *S^r^* the Burg^s^ making choice of you for their Speaker do fully demonſtrate to me that they have a mind to Anſwer the intent of the writt by wch they were called I do not doubt but they are very well Satisfied wth yor Ability to diſcharge that Truſt, and you have given ſuch teſtimoneys of yor zeal for her Matys & the Countrys Service while you were formerly in the Station that I cannot but approve their choiſe

Then Mr *Speaker* ſpoke thus

May it Pleaſe yor Excellency

Since yor Excell^cy^ has been pleaſed to indulge the Burg^s^ in this Election, duty binds me to become petitioner to yor Excell^cy^ in their Behalf, that all the ancient rights and Priviledges of the Burgeſſes may be continued to this Aſſembly. that they and their Serv^ts^ in their Perſons and Eſtates may be free from arreſts & other Diſturbances. That in all their debates and Conſultacons in their houſe they may have freedom and Liberty of Speech and as Occaſion requires free acceſs unto yor Excell^cys^ Perſon. And becauſe of my own infirmitys I have one favour more to beg of yor Excell^cy^ that none of my failings through weakneſs or inadvertency may redound to ye Prejudice of the houſe

Whereupon his Excell^cy^ ſaid that what Mr *Speaker* had deſired in behalf of the houſe he very readily granted & wiſhed it were in his power to inlarge their Priviledges and if they thought there were any other Priviledges neceſſary for them to have upon repreſentacon thereof to him, he would lay them before her moſt Sacred Maty and endeavour to obtain them & as to what Mr *Speaker* had deſired in behalf of himſelf he had Such experience of his good conduct in former Seſſions that their was no need for his uſing that Modeſty

And then his Excell^cy^ made ye following Speech

Honble Gentlemen

I thank God . . . . . [See J. of H. of B., 1702/3-1712, pp. 4-5.]

And then the Council Adjourned till *Munday* Morning 8 a Clock—

Munday

Munday March the 22d 1702

Prefent

HIS Excellency, *Edmund Jenings, Jnº Lightfoot, Benjª Harrifon, Robt Carter, James Blair, Philip Ludwell, Wm Baffett, Henery Duke* Eſqrs

Ordered

That the Clk of the Genll Aſſembly go to the houſe of Burgs & Command their immediate attendance on his Excellcy in the Council Chamber.

Mr *Speaker* wth the houſe attending. his Excellcy was pleaſed to make the following Speech

Gentlemen

Her Maty hath been . . . . . [See J. of H. of B., pp. 8-9.]

A meſſage to his Excellcy by Mr *Nathaniell Harrifon* & others acquainting him that Major *Tho: Swan* being elected a Burgeſs for *Surry* County and alſo a Burgeſs for ye County of *Nanſimond* had made his election to ſerve for the County of *Nanſemond* and therefore the houſe had Commanded them to wait on his Excellcy to pray that a New writt may iſſue for ye election of a Burgs to Serve in this preſent Aſſembly for ye ſaid County of *Surry* in the room of the ſaid Major *Swan*

And then ye Council Adjourned till to Morrow Morning 9 a Clock

---

Tueſday March ye 23d 1702

Prefent

HIS Excellency, *Edmd Jenings* Secry, *Benjª Harrifon, James Blair, Wm Baffett* and *Henery Duke* Eſqrs

Paul Harrelſon an Alien took ye Oaths appointed by act of Parlimt to be taken inſtead of the oaths of allegiance & Supremacy & Subſcribed the Teſt in Order to his Naturalizacon

The Peticon of *Paul Harrelſon* for Naturalizacon is referred to ye Conſideracon of the houſe of Burgeſſes

A petition of the *french* Refugees inhabiting at *Manican* town. and alſo

A peticon of *John & Stephen Gill French* Refugees for Naturalizacon being preſented to the Council & read

Ordered

That ye Same be Referred to ye Conſideracon of the houſe of Burgs

A Peticon of Mrs *Mary Rider* praying that ye keeper of the ferry at *Hog Iſland* Main may be Prohibited to land his Paſſengers on her Plantacon. read and Referred to ye Conſideracon of the houſe of Burgeſſes.

The Peticon & Propoſal of *John Holt* for keeping ye ferry from *Hogg Iſland* to *Archerſhope* read. and

Ordered

That ye Same be referred to ye Conſideracon of the houſe of Burgs

John Lightfoot Matthw Page, & Robt Carter Eſqrs preſent A meſſage to ye Council by *Wm Leigh* & others

May it Pleaſe yor Honrs

We are commanded by the houſe of Burgs to wait on yor honrs with a Reſolve of the houſe in anſwer to that part of his Excellcys Speech relating to a day of publick thanksgiving for ye great & glorious Succeſſes of her Matys Arms by Sea and Land. Wich Reſolve is in theſe words

Tueſday 23d March 1702

By the Houſe of Burgs

Ordered

That a Meſſage be Sent to ye Council to acquaint them that this houſe hath appointed *Thurſday* in *Eaſter* week for a day of Publick Thankſgiving for ye great and Glorious

Glorious Succeſſes of her Matys Arms by Sea and Land and to deſire their Concurrence thereto & that if they do Concur they will be Pleaſed to repreſent ye Same to his Excell^cy^ for his Approbacon

Robt Beaverly C H Burg^s^

Reſolved

That ye Council do concur wth the houſe of Burg^s^ that *thurſday* in *Eaſter* week be ſet apart for a day of Publick Thankſgiving for ye great and glorious Succeſſes of her Matys Arms by Sea & Land.

Which reſolve being Communicated to his Excell^cy^ he was pleaſed to give his Approbacon thereto and further to appoint *tueſday* the 4th of *May* for a day of thankſgiving throughout all this Colony

And then ye Council adjourned till to Morrow Morning 8 a Clock

---

Wedneſday March ye 24th 1702

Preſent

HIS Excellency, *Edm^d^ Jenings* Sec^ry^, *Jno Lightfoot, Matthew Page, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis, James Blair, William Baſſett & Henery Duke* Eſq^rs^

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry the following meſſage to the houſe of Burgeſſes from the Council

*M^r^* Speaker *& Gent of the Houſe of Burgeſſes*

The hon^ble^ Council haveing . . . . . [See J. of H. of B., p. 11.]

The Grievance of *King & Queen* County. read. and Referred to the Conſideracon of the houſe of Burgeſſes

The peticon of *James Minge* praying leave to bring in a bill to enable him to purchaſe Some Land on *Matchcote* Run for erecting of a Mill. read. and Referred to ye Conſideracon of the houſe of Burg^s^

The Peticon of *David Stoner* praying that he may be appointed keeper of ye priſon now erecting near the Capitol. Read &

Referred to ye Conſideracon of the houſe of Burg^s^

A petition of *Edwd Roſs*

A petition of *Thomas Francis*. & alſo

A Peticon of *John Goodale* all relating to ferrys were Severally read. and Referred to ye Conſideracon of the houſe of Burg^s^

And then ye Council adjourned till tomorrow Morning 8 a clock

---

Thurſday March 25th 1703

Preſent

HIS Excellency, *Jno Lightfoot, Matthew Page, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis, James Blair, W^m^ Baſſett, Henery Duke* Eſq^rs^

The Grievance of *Norfolk & Stafford* Countys. were Severally read and Referred to the Conſideracon of the Houſe of Burg^s^

The Peticon of *Sam^ll^ de Monville* a *French* man for Naturalization. Read and Referred to the Conſideracon of the houſe of Burgeſſes

The Peticon of *James Adams* Interpretor to y^e^ *Pamunkey Chickahomeney* and *Nanſiatico* Indians. Praying his uſual Sallarey as Interpreter may be Levied for him. read, and

Referred to the Conſideracon of ye houſe of Burg^s^

Edm^d^ Jenings. Philip Ludwell Eſq^rs^ Preſent

Ordered

That ye Clk of the Gen^ll^ Aſſembly carry to the houſe of Burg^s^ the following Meſſage

*M^r^* Speaker *& Gent of the houſe of Burg^s^*

His Excell^cy^ & the hon^ble^ Council . . . . . [See J. of H. of B., p. 12.]

A meſſage from ye houſe of Burg^s^ to his Excell^cy^ & Council by Mr *Miles Cary* & others that, ye houſe have agreed to his Excell^cy^ & their Hon^rs^ propoſition concerning a Com^tee^ to inſpect the Building of ye Capitol & have Accordingly appointed Six of their Members to Joine wth the Com^tee^ of ye Council who are ready to attend at Such time as their Hon^rs^ ſhall appoint

Reſolved

That a Com^tee^ of ye Council be forthw^th^ appointed to Joine wth ye Com^tee^ of ye houſe of Burg^s^ to inſpect ye building of ye Capitol

And a Com^tee^ was Accordingly appointed *Viz*

Mr Sec^ry^ *Jenings, Matthew Page & Benj^a^ Harriſon* Eſq^rs^

And then ye Council adjourned till to Morrow Morning 9 a Clock

Friday March 26th 1703

THE Council met & Adjourned till to Morrow Morning

Saturday March 27th 1703

P^r^ſent

HIS Excellency, *Edm^d^ Jenings* Sec^ry^, *Benj^a^ Harriſon, Robt Carter, John Cuſtis, James Blair, Philip Ludwell* Eſq^rs^

The Petiĉon of Mr Sec^ry^ *Jenings* praying ye direction of Excell^y^ & Council touching ye removing the Records of his office. The place appropriated for them in the Capitol not being as yett finiſhed. read. & Referred to ye Conſideraĉon of ye houſe of Burg^s^

The Petiĉon of Mr Sec^ry^ *Jenings* praying allowance for iſſuing twenty five writts for Elećtion of Burg^s^ for ye preſent Aſſembly was read. & Referred to ye Conſideraĉon of ye houſe of Burg^s^

The Petiĉon of *Tho. Blunt* Interpretor to y^e^ *Nattoway* & *Maherine* Indians praying his Uſual allowance as interpreter may be levied for him. read &

Referred to ye Conſideraĉon of ye houſe of Burgeſſes

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry the following meſſage to ye houſe of Burg^s^

By his Excell^cy^ & ye Honble Council

*M^r^* Speaker *& Gent of ye houſe of Burgeſſes*

It being very . . . . . [See J. of H. of B., p. 13.]

And then ye Council Adjourned till to *Munday* Morning 9 a Clock

Munday March ye 29th 1703

Preſent

HIS Excell^cy^, *Edm^d^ Jenings, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis, James Blair, Philip Ludwell* and *henery Duke* Eſq^rs^

The Grievance of *Eliz^th^ City* County. read. & Referred to ye Conſideraĉon of ye houſe of Burgeſſes

The petiĉon of Mr *Chickeley Corbin Thacker* Clk of ye Sec^ry^ office was read. pray his Uſual allowance for publick ſervices for one Year may be Levied for him

Ordered

That ye Same be Referred to ye conſideraĉon of ye houſe of Burg^s^

The

The petition of *Roger Light* was read. praying that he may be appointed keeper of ye Capitol

Ordered

That ye Same be Referred to ye Conſideracon of ye houſe of Burg^s^

The peticon of Mr Sec^ry^ *Jenings* praying y^t^ it may be declared by whom ye 50^lb^ tobb^o^ allow^d^ by Act of Aſſembly for every Military Commiſſion ſhall be paid. being read

Ordered

that ye Same be referred to ye conſideracon of ye houſe of Burgeſſes

His Excell^cy^ laid before ye Council her Ma^tys^ Letter for a Contribution of money &c to her province of *New York*. & acquainted them that purſuant to her Ma^tys^ Commands he recommended that matter to their Conſideracon hoped he need not uſe many Argum^ts^ to induce them to comply therewith & therefore expected that before their Breaking up this nigh they would give him their Reſult

And further acquainted them that If ye Country wants money at preſent to advance towards the aſſiſtance of *New York* he will Lend them or if this Aſſembly Shall not think fitt to comply wth her Matys Commands for aſſiſting *New York* yet he would diſcharge his duty and advance ye money himſelf rather than that Service Shall Suffer

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry ye following Meſſage in writing from his Excell^cy^ to ye Houſe of Burgeſſes

*M^r^* Speaker *& Gent. of the houſe of Burgeſſes*

I am heartily Sorry . . . . . [See J. of H. of B., pp. 14-15.]

Matthew Page Eſq^r^ Preſent

The Council took into Conſideracon what his Excell^cy^ recommended to them in relacon to *New York*. and finding it Neceſſary to have the advice of all ye Council therein. They in regard Mr Auditor *Byrd* is lame & not able to attend here & that *Jno Lightfoot* Eſq^r^ is abſent Reſolved to defer the further debate thereof till to morrow Morning at 8 a Clock at wch time they all agreed to meet at Mr *Auditor*s Chambers

And Accordingly the Council adjourned till to Morrow Morning 8 a Clock

---

March 30th 1703 at Mr Auditor *Byrd*s Chamber in *Williamſburgh*

Preſent

HIS Excellency, *Wm Byrd* Audit^r^, *Edm^d^ Jenings* Sec^ry^, *John Lightfoot, Matt: Page, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis, James Blair, Philip Ludwel, Henery Duke* Eſq^rs^

The Council (According to Order) being met to conſider of her Matys Royal Letter for a Contribution of money &c to *New York*. His Excell^cy^ did againe recommend that matter to their Conſideracon. and put the queſtion Whether they will Comply wth her Matys Commands in granting the 900 pounds: Since their giving their opinion in that matter before ye houſe of Burgeſſes proceed therein be [he] conceives will be a means to induce that houſe to a complyance

The Council deſired time to draw up an Anſwer to y^e^ ſaid Queſtion

And Accordingly drew up the Same as follows *Viz*

To wch queſtion we do humbly & unanimouſly make anſwer that we Shall be always ready to contribute to ye uttmoſt of our power for her Matys Service either as Council to her Maty. or as we are part of ye Gen^ll^ Aſſembly

That Accordingly ſo ſoon as yor Excell^cy^ communicated to us her Maty's gracious Lett^r^ relating to *New York*. we adviſed that a Gen^ll^ Aſſembly ſhould be called wth all Poſſible Expedition

That after y^e^ ſaid Aſſembly had met we heartly Joined wth yor Excell^cy^ in recommending y^e^ ſaid Letter to ye Serious & Mature deliberacon of ye houſe of Burgeſſes

That

That y^e^ ſaid houſe being poſſeſt of y^e^ ſaid Letter for near a fort night & as we Suppoſe almoſt ready to come to a Reſolution; We humbly conceive that in all Grants of money. for ye Council to declare their Opinion before ye houſe of Burgeſſes give their Anſwer ab^t^ them is contrary to the practice & proceedings of Aſſemblys & we are doubtfull might beget a Miſunderſtanding in the ſaid houſe being tender of their priviledges and by conſequence might prove prejudicial to her Matys Service in Gen^ll^. & to ye good management of this affair in particular. And therefore wth Submiſſion are unwilling to declare our previous Aſſent or Diſſent to ye Reſolutions of the houſe in this matter.

His Excell^cy^ then acquainted ye Council that Since he found they diſagreed in the Main to his recommending her Matys Commands to ye houſe of Burgeſſes upon ye Terms propoſed in his former queſtion he now put this queſtion to them whether they as a Council or as a Council in Aſſembly Judge it for her Matys Service to uſe their endeavours to perſwade the houſe of Burgeſſes to a complyance either by Meſſage conferrence or Such other way as they Shall think proper.

To wch the Council humbly make anſwer that we Shall be very ready to do her Maty the beſt Service that lyes in our Power by Meſſages conferences or any other way that may be thought proper in due time. As occaſion Shall be given from ye proceedings of the houſe of Burgeſſes

His Excell^cy^ deſired the Opinion of ye Council whether it be proper for him to move any further to ye houſe of Burgeſſes either by Speech or Meſſage in Relation to her Matys Royal Commands for Aſſiſtance to *New York*.

To wch the Council humbly make Anſwer That we know nothing at Preſent that is wanting on his Excell^cys^ part in relacon to her Matys Commands for aſſiſtance to *New York;* but if any thing Occurr to his Excell^cy^ for promoting that Service we ſhall be ready to give our Opinions therein as often as his Excell^cy^ ſhall think fitt to require the Same.

And then ye Council adjourned to ye Council Chamber

Where being Accordingly met

The Councils anſwers to his Excell^cys^ Queſtions were read, and Thereupon his Excell^cy^ declared. That as to what ye Council ſay in their Anſwer to ye firſt queſtion *Viz* "That in all Grants of money for the Council to declare their Opinion before ye houſe of Burgeſſes give their Anſwer ab^t^ them is Contrary to ye practice & proceedings of Aſſemblys: His Excell^cy^ cannot allow any preſcription in this Country: nor any Preſid^t^ or Cuſtom to take place contrary to the prerogative: but if preſid^ts^ could be admitted; Yet it cannot be made appear that ever there was a parralel Caſe to this

Then his Excell^cy^ communicated to ye Council two Letters from his Excell^cy^ the Lord Viſcount *Cornbury* Govern^r^ of *New York* dated ye 11th *June* & 19th *November* laſt which he intended to lay before ye houſe of Burgeſſes & at y^e^ ſame time to acquaint the houſe that if ye Country cannot at preſent advance the money he will lend them ſo much without Intereſt

A meſſage to his Excell^cy^ by Mr *Miles Cary* & others that they were Commanded by the houſe of Burgeſſes to preſent his Excell^cy^ wth ye Reſolve of their houſe in Anſwer to his Excell^cys^ meſſage of yeſterday Which Reſolve is in theſe words

Tueſday 30th *March* 1703

By the houſe of Burgeſſes

Reſolved

That it doth appear to ye houſe that ye Laſt houſe of Burgeſſes did refuſe to give the Nine hundred Pounds to *New York*. not becauſe ye Govern^r^ was propoſer of it but for other reaſons at large enumerated in ye Journal of y^e^ ſaid houſe. And that the Report mentioned in his Excell^cys^ written Meſſage of yeſterday is a falſe Scandalous and Malicious Report

R Beaverly Cl H. Burgeſſes

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry the following Meſſage to ye houſe of Burgeſſes from his Excell^cy^

*M^r^*

Mr Speaker *& Gent of ye houſe of Burgeſſes*

I herewth Send you . . . . . [See J. of H. of B., p. 16.]

A meſſage from ye houſe of Burgeſſes to ye Council by Mr *Benja Harriſon* & others who brought the following Reſolve

Tueſday the 30th *March* 1703

By the houſe of Burgeſſes

Reſolved nemine Contradicente

That this Country is not of ability to comply wth her Matys Commands in contributing the Sum of Nine hundred Pounds required for *New York*.

Ordered

That a Meſſage be ſent to the Council to deſire their concurrence to this Reſolve, And that if they concurr they will be pleaſed to Joine in a Committee wth the Burgeſſes to Conſider of the beſt methods to repreſent our Circumſtances of inability to her Maty

a true copy

Teſt R Beaverly Cl H Burgs

Ordered

That the Conſideracon of ye Reſolve of ye houſe of Burgs Juſt now Sent, be Referred till to Morrow Morning

His Excellency acquainted the Council that Since ye houſe of Burgs have put ye matter upon this iſſue, that ye Country is not of ability to contribute the 900li to *New York*, The Council will do well to conſider the State of ye Country & to enquire into the Publick Accts, for yt his Excellcy is Satisfied there is nigh half of that Money now in Bank, after deduction of all debts that Fund is now Charged wth & as for ye remainder his Excellcy will advance it, or if Neceſſary the whole upon the credit of thoſe impoſition Acts now in force and if They Shall prove deficient will bear ye Loſs himſelf

Then ye Council adjourned till to morrow morning 8 a clock—

Wedneſday March 31ſt 1703

Preſent

HIS Excellency, *Edmd Jenings, John Lightfoot, Matthew: Page, Robt Carter, Jno Cuſtis, James Blair, Philip Ludwell, Wm Baſſett, Henery Duke* Eſqrs

The peticon of Mr Secretary *Jenings* praying allowance for iſſuing a new Writt for ye Election of a Burgeſs in *Surry* County in the Room of Major *Tho: Swan.* read &

Referred to ye Conſideracon of ye houſe of Burgeſſes

The peticon of *Jno Redwood* praying that he may be appointed keeper of ye Capitol, Read &

Referred to ye Conſideracon of ye houſe of Burgeſſes

Ordered

That ye Clk of ye Genll Aſſembly carry ye following meſſage from his Excellcy to the houſe of Burgeſſes

Mr Speaker *& Gent of ye houſe of Burgeſſes*

I give you . . . . . [See J. of H. of B., pp. 16-17.]

The Council (according to order took) into Conſideracon ye reſolve of ye houſe of Burgeſſes of yeſterdays date relating to her Matys Commands for a Contribution of money to *New York*. And thereupon

Ordered

That ye Clk of ye Genll Aſſembly carry the following meſſage to ye houſe of Burgeſſes

Mr Speaker *& Gent of ye houſe of Burgeſſes*

The Council having . . . . . [See J. of H. of B., p. 18.]

Reſolved

That Mr *Secretary, Robt Carter, Jno Cuſtis & James Blair* Eſqrs be appointed to manage ye Conference wth the Burgs in relation to their Reſolve, that this Country is not of Ability to contribute the 900 pounds required for *New York*

A Meſſage to the Council from ye houſe of Burg^s^ by Mr *Benj^a^ Harriſon* & others ye the houſe had Commanded them to wait on their Hon^rs^ & to preſent the following Reſolve in Anſwer to their Hon^rs^ Meſſage Concerning a Conference.

Wedneſday March 31^ſt^ 1703

By ye houſe of Burgeſſes

Reſolved nemine Contradicente

That this houſe will not agree to ye Conference deſired by the Council in their meſſage of this day upon ye Reſolve of this houſe concerning the Nine hundred Pounds required for *New York* untill ye Council return the ſaid Reſolve wth their Concurrence or diſagreement thereto.

R. Beaverly Cl H. Burgeſſes

Benj^a^ Harriſon Eſq^r^ Preſent

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry ye following meſſage to ye houſe of Burgeſſes.

By the Council

*M^r^* Speaker *& Gent. of ye houſe of Burgeſſes*

In anſwer . . . . . [See J. of H. of B., p. 18.]

And then ye Council Adjourned till to Morrow Morning 8 a Clock

---

Thurſday April 1^ſt^ 1703

Preſent ye Same as yeſterday

THE Council being informed y^t^ the Houſe of Burgeſſes were adjourned till to Morrow They for ye better Obſervacõn of ye Publick Thankſgiving appointed to be this day kept for ye great & glorious Succeſſes of her Matys Arms by Land & Sea

Adjourned till to Morrow 10 a clock in ye forenoon

Friday April 2^d^ 1703

Preſent

HIS Excellency, *Edm^d^ Jenings, Jno Lightfoot, Matt. Page, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis, James Blair, Philip Ludwel, Wm Baffett, Henery Duke* Eſq^rs^

A meſſage to ye Council by M^r^ *Wm Leigh* & others y^t^ ye houſe of Burgeſſes had commanded them to wait on their Hon^rs^ wth an Anſwer to their laſt Meſſage Inſiſting on a Conference in relation to ye Nine hundred Pounds required for *New York*. wch Anſwer is in theſe words

By the houſe of Burgeſſes

*May it Pleaſe y^r^ Hon^rs^*

In Anſwer . . . . . [See J. of H. of B., pp. 19-20.]

Ordered

That *Robt Carter Jno Cuſtis* & *James Blair* Eſq^r^ be appointed a Com^tee^ to draw up & prepare an Anſwer to the above Reſolve of the Burgeſſes

And Then the Council Adjourned till to Morrow Morning 9 a Clock

---

Saturday April 3^d^ 1703

Preſent

HIS Excellency, *Edm^d^ Jenings* Sec^ry^, *Jno Lightfoot, Matt. Page, Benj^a^ Harriſon, Jno Cuſtis, Ja: Blair, Philip Ludwel, Wm Baffett, Henery Duke* Eſq^rs^

Jno Cuſtis Eſq^r^ from the Com^tee^ appointed to prepare an Anſwer to the laſt Reſolve of the houſe of Burgeſſes denying a Conference in relacõn to *New York* Reported that they had made Some progreſs therein. but being twice ſent for by his Excell^cy^ upon urgent buſineſs they could not finiſh the Same

Ordered that the ſ^d^ anſwer be prepared & Reported on *tueſday* morning next

And then ye Council Adjourned till *Munday* Morning 9 a Clock

Munday

Munday April 5th 1703

Preſent

HIS Excellencie, *Edm*d *Jenings* Secry, *Jn*o *Lightfoot*, *Jn*o *Cuſtis*, *James Blair* and *Philip Ludwel* Eſqrs

Ordered

That yᵉ Clk of yᵉ Genll Aſſembly carry the following meſſage in writing from his Excellcy to the houſe of Burgeſſes

*M*r Speaker *&* *Gent. of the houſe of Burgeſſes*

If you now go . . . . . [See J. of H. of B., pp. 22-23.]

A meſſage to his Excellcy by Mr *W*m *Leigh* & others That yᵉ Houſe of Burgeſſes had commanded them to wait on his Excellcy with an Anſwer to his Excellyᵉ meſſage of this day. Wch is in theſe words

Munday 5th *April* 1703

By the houſe of Burgeſſes

May it Pleaſe yor Excellency

In Anſwer . . . . . [See J. of H. of B., p. 23.]

Reſolved

That *Edmund Jenings Matth: Page & Benj*a *Harriſon* Eſqrs be appointed a Comtee to Joine wth the Comtee of the houſe of Burgeſſes to conſider of the beſt Method for carrying on the Buiſneſs of the Aſſembly and Genll Court wth the greateſt eaſe and Convenience

And the Council adjourned till to Morrow Morning 8 a Clock

Tueſday April 6th 1703

Preſent

HIS Excellcy, *Edm*d *Jenings* Secry, *Jn*o *Lightfoot, Matthew Page, Benj*a *Harriſon, Jn*o *Cuſtis, James Blair, Philip Ludwel, W*m *Baſſett* Eſqrs

Ordered

That the Clk of yᵉ Genll Aſſembly acqt the houſe of Burgeſſes that the Council have appointed three of their Members to Joine wth yᵉ Comtee of the houſe of Burgeſſes to Conſider of yᵉ beſt methods for Carrying on the buiſneſs of the Aſſembly & Genll Court wth yᵉ greateſt eaſe & Conveniencie

Ordered

That the Clk of yᵉ Genll Aſſembly go to the houſe of Burgeſſes and acqt them that his Excellcy commands their immediate attendance on him in yᵉ Council Chamber

The houſe being come his Excellcy was pleaſed to ſay as followth

*M*r Speaker *&* *Gent of the houſe of Burgeſſes*

I Pray God Almighty . . . . . [See J. of H. of B., pp. 23-24.]

Henery Duke Eſqr Preſent

A meſſage from yᵉ houſe of Burgeſſes to yᵉ Council by Mr *Miles Cary* & others acquainting their honrs that the houſe had appointed Six of their Members to Joine wth yᵉ Comtee of yᵉ Council for conſidering of the beſt Method for carrying on the Buiſneſs of yᵉ Gll Aſſembly & Genll Court wth the greateſt eaſe & Conveniencie & that they were ready to attend their honrs at Such time & place as they ſhall think fitt to Appoint

Reſolved

That the Report of yᵉ Comtee appointed to draw up an Anſwer to the Laſt Meſſage of yᵉ houſe of Burgeſſes denying a Conference on yᵉ Buiſneſs of *New York* be by Reaſon of yᵉ abſence of *Robt Carter* Eſqr one of yᵉ Members of yᵉ ſaid Comtee Referred till to morrow morning

And then yᵉ Council adjourned till to Morrow Morning 8 a Clock

Wedneſday

Wedneſday April 7th 1703

Preſent

HIS Excellency, *Edm*d *Jenings* Secry, *Jn*o *Lightfoot, Matthew Page, Benj*a *Harriſon, Jn*o *Cuſtis, James Blair, Philip Ludwel, W*m *Baſſett & Henery Duke* Eſqrs

*Jn*o *Cuſtis* Eſqr from ye Comtee appointed to draw up an Anſwer to ye laſt Meſſage of ye houſe of Burgeſſes denying a Conference on the Buiſneſs of *New York* reported ye Reſolutions they had come to thereon wch were read at the table & wth ſome amendmt agreed to by the Council and thereupon

Ordered

That ye Clk of ye Genll Aſſembly carry the following meſſage to the houſe of Burgeſſes.

By the Council

*M*r Speaker *& Gent. of the houſe of Burgeſſes*

In Anſwer to yr meſſage . . . . . [See J. of H. of B., p. 25.]

A meſſage from the houſe of Burgeſſes to his Excellcy by Mr *Benja Harriſon* & others

May it Pleaſe yr Excellency

The houſe of Burgeſſes having prepared an Addreſs to yor Excellency have commanded me to wait on yr Excellcy to know what time yr Excellcy will pleaſe to appoint for their attendance wth the ſaid Addreſs to be by them preſented to yr Excellcy

To wch his Excellcy Anſwered that he might acqt the houſe to come now if they Pleaſed.

And Accordingly the houſe attending Mr *Speaker*. read & then delivered to his Excellency the following Addreſs

To his Excellency Francis Nicholſon *Eſqr her Matys Lievt & Governr Genll of* Virginia

May it pleaſe yr Excellency

We her Matys Loyal . . . . . [See J. of H. of B., p. 26.]

Whereupon his Excellency was pleaſed to Speak to the houſe to this effect that he would Conſider of their addreſs & give them an Anſwer to morrow but muſt recommend to them to give him an Acct what they had done Since their meeting for untill he knew that he believed they themſelves would not think it reaſonable that he ſhould give them leave to adjourn

Then the Burgeſſes withdrew

The Council adjourned till to Morrow Morning 8 a Clock

Thurſday April 8th 1703

Preſent

HIS Excellency, *Edm*d *Jenings* Secry, *Jn*o *Lightfoot, Matthew Page, Benj*a *Harriſon, Rob*t *Carter, Jn*o *Cuſtis, James Blair, Philip Ludwell, W*m *Baſſett & Henery Duke* Eſqrs

A meſſage to his Excellcy by Mr *W*m *Leigh* & others

May it Pleaſe yr Excellency

We are commanded by the houſe of Burgs to wait on yr Excellcy, and to requeſt yor Excy to ſignify yor pleaſure when the houſe ſhall attend you to preſent an Addreſs

To wch his Excellcy made anſwer now if they pleaſed

The houſe of Burgeſſes being come into the Council Chamber Mr *Speaker* read & then delivered to his Excellcy the following Addreſs

To his Excellcy Francis Nicholſon *Eſqr her Matys Lievt & Governr Genll of* Virginia

May it Pleaſe yr Excellency

We her Matys Loyal . . . . . [See J. of H. of B., pp. 27-28.]

Whereupon

Whereupon his Excell^cy was pleafed to acq^t the houfe to this effect

Gent

As to y^r Addrefs of yefterday I have laid ye Same before her Matys hon^ble Council & we have come to Some Refolutions thereon which Shall be fent you & as to this addrefs I fhall Likewife lay it before the Council & if any further Occafion fhall fend to you

Ordered

That the Clk of ye Gen^ll Affembly carry to the houfe of Burg^s the proceedings of his Excell^cy & Council of this day upon the addrefs of the houfe delivered Yefterday defiring a Recefs together with the following written meffage from his Excell^cy

Mr Speaker & Gent of the houfe of Burgeffes

The Ordinance paft laft Seffion of Affembly for . . . . . [See J. of H. of B., pp. 28-29.]

And then ye Council adjourned till to Morrow Morning 9 a Clock

---

Friday April 9th 1703

Prefent

HIS Excellency, *Edm^d Jenings* Sec^ry, *Jno Lightfoot, Matthew Page, Benj^a Harrifon, Robt Carter, Jno Cuftis, James Blair, Philip Ludwel, Wm Baffett, Henery Duke* Efq^rs

Mr Sec^ry *Jenings* from ye Com^tee of the Council & Burg^s appointed to infpect the building of the Capitol Reported the Sev^ll Refolutions they had come to in that matter wch he read in his place & afterwards delivered in at the Table where the Same were agreed to by the Council wth an Amendm^t wch they Ordered to be inferted in the faid Report & is as follows *Viz*

By the Com^tee of Council & Burgeffes appointed to infpect the building of the Capitol & Prifon

Agreed

That the overfeer . . . . . [See J. of H. of B., pp. 29-30.]

*Vpon Conſideracon of the Peticon of Mr Sec^ry *Jenings* concerning Removing the Records & papers belonging to the Sec^rys office to the Capitol be Referred to this Com^tee, they are of Opinion in regard the Place Appropriated for that uſe is not finiſhed nor any ways as yet made Convenient to Receive them that they remaine here [where] they now are til Such time as the Same be finiſhed or made Sufficient to ſecure them from danger

Vpon Conſideracon of the Peticons of Sev^ll Perſons to be Goal keeper of ye Country Priſon & to look after & take care of ye Capitol & the furniture &c belonging to it when they Shall be finiſhed It is the Opinion of the Com^tee that *Jno Redwood* is the moſt fit perſon of them to be employed in that ſervice & thereupon propoſed that thirty Pounds ℔ *Annum* be the allowance given to thoſe that Shall hereafter be employed therein firſt entring into bond wth good Security for ye due & faithfull ℔formance of what Shall be thought Reaſonable to Enjoine & Oblige them to

This Com^tee conceiveing that the Com^tte appointed to Reviſe the Laws & alſo inſpect the Building of ye Capitol have finiſhed the ſaid Reviſal it is propoſed that fitting perſons be Nominated & appointed to imſpect the ſaid Building til they be finiſhed & to Receive the Acc^tts of diſburſtm^ts & order the money for that uſe & that the ſaid Perſons So appointed meet at the ſaid Capitol as often as Shall be directed or Neceſſity Shall require

Thurſday April ye 8th 1703

Ordered

That the Clk of the Gen^ll Affembly carry the ſaid Report to the houſe of Burgeſſes & acq^t them that the Council haue agreed thereto wth an Amendm^t wch they haue inſerted in the ſaid Report

A

* The ſubſtance of this and of the two following paragraphs is given in the report of the joint committee as printed in the "Journals of the Houſe of Burgeſſes," but the wording is different.

A Peticon of the Inhabitants of *Cople* Parifh in *Weftmoreland* County being read
Ordered
That the Same be referred to the Conſideracon of the houſe of Burgs
Ordered
That the Clk of ye Genll Aſſembly carry to the houſe of Burgeſſes the following meſſage in Writing from his Excellv

Mr Speaker &c *Gent of the houſe of Burgeſſes*
Having formerly . . . . . [See J. of H. of B., p. 32.]

His Excellcy laid before ye Council her Matys Royal Letter relating to the Quota of men & money required by her Maty for the aſſiſtance of *New York* & acquainted them that Since the houſe of Burgeſſes had now given their anſwer on ye ſaid Letter he recommended to the Council as the Upper houſe of Aſſembly to conſider of her Matys fd Commands & give him their anſwer thereon

Whereupon the Council took ye Same immediatly into Conſideracon and a debate ariſing the queſtion was put whether the Council ſhall make their Anſwer by an Addreſs to her Maty directly or by an Addreſs to his Excellcy wth a requeſt to him to repreſent their Caſe to her Maty It was thereupon
Reſolved
That an humble Addreſs be Prepared to her moſt Sacred Maty in Anſwer to her Matys Royal Letter
Ordered
That Mr Secry *Jennings Robt Carter* & *James Blair* Eſqrs do prepare the fd Addreſs
A meſſage to his Excellcy by Mr *Miles Cary* & others that they were Commanded by the houſe of Burgs to preſent his Excellcy the following Reſolves in anſwer to his Excellcys meſſage of Yeſterday

Friday 9 *April* 1703

By the houſe of Burgeſſes

Reſolved
That it is the Opinion of this houſe that the Ordinance made the laſt Seſſion of Aſſembly for the defence of the Country in time of danger is a Sufficient proviſion for ye defence of this Country on any Such Occaſion untill there Shall be a Seſſion of Aſſembly

R. Beverley Cl H Burgeſſes

Friday April 9th 1703

By the houſe of Burgeſſes

Ordered
That it be an inſtruction to the Comtee appointed to prepare the Addreſs to her Maty to inſert a Clauſe in the ſaid Addreſs to expreſs our Senſible Joy for the great & glorious Succeſſes of her Matys Arms by Sea & Land

R. Beaverley Cl H Burgs

Mr *Cary* alſo preſented the following Reſolves of the Burgs in Anſwer to his Excellcys meſſage of this day recommending to the houſe Sevll matters ommitted to be Anſwered in their Addreſs wch Reſolves are as follwth

Friday 9th *April* 1703

By the houſe of Burgeſſes

Reſolved
That it is the Opinion of this houſe not to Concern themſelves with the College Accts
Reſolved
That when the Reviſal is proceeded in will be a Convenient time to take into Conſideracon the Settling Suitable Sallarys & fees to the reſpective Officers for ye Encouragmt of the Natives of this Country
Reſolved
That this houſe hath nothing to recommend to his Excellcy upon his going to *New York*

Reſolved

Reſolved

That it is the Opinion of this houſe that the Lds Comrs for trade do not mean that this houſe Shall Provide a copy of the Laws in force to be Sent to them. but Expect it from his Excellcy & that his Excellcy may do it without the houſe being Concerned therein

Ordered

That a Copy of the ſaid Reſolves be Sent to his Excellcy as an Anſwer to his Meſſage of this day

A meſſage to the Council by Mr *Cary* & others who brought the Reſolves of the houſe of Burgs for paying the Gentlemen of the Comtee appointed to Reviſe the Laws to wch they deſire their Honrs Concurrence.

And the ſd Reſolves were read and Aſſented to by the Council

Ordered

That the Clk of the Genll Aſſembly return the ſd Reſolves to the houſe of Burgs & acqt them that the Council haue aſſented thereto

Then the Reſolve of the houſe of Burgs touching the defence of the Country being read

Reſolved

That the Council do concur wth the Burgs that the Ordinance made the laſt Seſſion of Aſſembly for defence of the Country in time of danger is a Sufficient proviſion for the defence of this Country on any Such Occaſion until there Shall be a Seſſion of Aſſembly

And then his Excellcy was alſo pleaſed to give his aſſent to the ſd Reſolve by Signing the Same

A meſſage from the houſe of Burgs to the Council by Mr *Wm Leigh* & others that the houſe had commanded them to wait on their Honrs & to preſent the following Reſolve to wch they deſire their Honrs Concurrence

Friday 9 April 1703

By the houſe of Burgeſſes

The Comtte for Reviſal of the Laws to whom it was referred to inſpect & overſee the building of the Capitol & priſon hauing finiſhed the ſaid Reviſal & that by means thereof it ceaſes to be any longer a Comtte

Reſolved

That it is ye Opinion of this houſe that a Joint Comtee of the Council & Burgeſſes be appointed to Execute the Same truſt for carrying on the Building of the Capitol & Priſon that was formerly Veſted in the Comtee appointed to reviſe the Laws

R Beverly Cl H Burgs

Reſolved

That the Council do Concur wth the houſe of Burgeſſes that a Joint Comtee of Council & Burgeſſes be appointed to execute to ye Same truſt for carrying on the Building of the Capitol & Priſon that was formerly Veſted in the Comtee appointed to reviſe the Laws

Ordered

That Mr Secry *Jenings* be appointed of the ſaid Comtee on the behalf of the Council

Ordered

That the Clk of ye Genll Aſſembly carry the ſaid Reſolve to the Houſe of Burgs & acqt them of the Councils Concurrence thereto

A meſſage from the houſe of Burgeſſes to the Council by Mr *Wm Leigh* & others acquainting their honrs that the houſe had appointed Mr *Tho: Barber* & Mr *Tho Ballard* to join wth the honble Mr Secry *Jenings* as a Comtee for carrying on the Building of the Capitol & Priſon

And then ye Council adjourned till to Morrow Morning 9 a Clock

Saturday

Saturday April 10th 1703

Preſent

HIS Excellency, *Edm^d Jenings, Matthew Page, Benj^a Harriſon, James Blair, Philip Ludwel, W^m Baſſett* and *Henery Duke* Eſq^rs

Ordered

That the Clk of the Gen^ll Aſſembly carry the following meſſage to the houſe of Burgeſſes

By the Council

Mr Speaker *& Gent of the houſe of Burgeſſes*

His Excell^cy Signifying . . . . . [See J. of H. of B., p. 34.]

A meſſage to the Council by Mr *Charles Aſhton* & Mr *Henery Aſhton* who brought the Reſolves of the houſe of Burg^s on the Petiĉon of the Inhabitants of *Cople* Pariſh to wch they deſired their Hon^rs Concurrence.

And the ſ^d Reſolves were read & aſſented to by the Council

Ordered

That the Clk of ye Gen^ll Aſſembly carry the ſaid Reſolves to the houſe of Burg^s & acq^t them that ye Council haue aſſented thereto

A meſſage from the Burg^s to the Council by Mr *Miles Cary* & others who brought the following Reſolve in anſwer to their hon^rs meſſage of this day

By the houſe of Burgeſſes

Reſolved & Accordingly Ordered

That *Edm^d Jenings* Eſq^r Mr *Tho. Barber* & Mr *Tho Ballard* or any two of them be appointed & impowred to execute the Same truſt for carrying on the Building of the Capitol & priſon that was formerly Veſted in the Com^tee appointed to reviſe the Laws

R Beverly Cl H Burgeſſes

And the ſ^d Reſolve being read was aſſented to by the hon^ble Council

And then his Excell^cy was pleaſed to Sign his aſſent to ye Same

Ordered

That the Clk of the Gen^ll Aſſembly return the ſaid Reſolve to the houſe of Burg^s & acq^t them that his Excell^cy & the Council haue aſſented thereto.—

Wm Byrd J. Lightfoot Robt Carter & Jno Cuſtis Eſq^r Preſent

A meſſage to the Council by Mr *Richd Bland* & others who brought Mr *Treaſſurers* Acc^ts^ paſt by the houſe & deſire their Hon^rs Concurrence thereto

Reſolved that y^e ſ^d Acc^ts^ be aſſented to by the Council

And then his Excell^cy Signed his aſſent to the ſ^d Accomp^ts^

A meſſage from ye houſe of Burg^s to his Excell^cy by M^r *Wm Leigh* & others that the houſe had Commanded them to wait on his Excell^cy to know his pleaſure when the houſe ſhall attend him wth an addreſs to her moſt Sacred Maty & alſo wth an Addreſs to his Excell^cy

Upon wch his Excell^cy told them that he would Send to the houſe

A meſſage to the Council from the houſe of Burg^s by Mr *Miles Cary* & others who brought a Reſolve of the houſe that the Sev^ll allowances to the Members Clk & aſſiſtants of the Com^tee appointed to reviſe the Laws be p^d out of the Impoſition Funds to wch they deſire ye Councils Concurrence.

Reſolved

That ye Council do aſſent to the above Reſolve of the houſe of Burg^s

And then his Excell^cy Signed his aſſent to ye Same & it was afterwards delivered back to ye Meſſengers who bro^t it

Mr *Cary* preſented to his Excell^cy the Report of the Com^tee appointed to inſpect the Building of the Capitol agreed to by the hon^ble Council & the houſe of Burg^s & prayed his Excell^cys aſſent thereto

And Accordingly his Excell^cy was pleaſed to Sign his aſſent to the ſaid Report

The

The Gent appointed to prepare an humble Addreſs to her moſt Sacred Maty in anſwer to her Majeſtys gracious Letter relating to a Quota of men & money to *New York* Reported that they had Accordingly prepared y^r Same & then the f^d Addreſs being delivered in at the Table was read Amended & Signed by all ye Council & is as follow^th

To the Queens moſt Excell^t Majeſty

May it pleaſe y^r Majeſty

We the Council of y^r Majeſtys Colony & Dominion of *Virg^a* after due peruſal & Serious Conſideracõn of your Matys gracious Letter Signifying yor Royal pleaſure concerning a Voluntary Contribution of a Quota of men & money for *New York* laid before us by his Excell^cy *Francis Nicholſon* Eſq^r y^r Matys Liev^t & Govern^r Gen^ll of this Colony & Dominion being Extreamely concerned that our Anſwer to the like demand made by y^r Matys Royal Brother Ill^m the 3^d of bleſſed Memory contained in our Petiõn of *Oct^obr* ye 1^ſt 1701 did not give y^r Maty the Expected Satisfaction, but that our Managem^t of that affair was diſallowed by the Lords of the Council for trade & Plantacons. Humbly beg leave in the moſt dutifull manner to lay before y^r Majeſty our anſwers to thoſe particulars wherein by the advice of the ſaid Lords we find yor Majeſty diſapproves our Conduct in that Peticon together wth an Acc^t of our late endeavours to Comply wth y^r Majeſtys commands in the ſaid Letter as far as is within the reach of our Station and Province

Whereas in the firſt place we are charged as having made our application to Y^r Matys Royal Brother in an irregular manner by an Agent of our Own without the Conſent of your Govern^r We humbly offer to y^r Matys Conſideracõn that as we were altogether free from any ill deſign in this Method ſo we Never heard before that any Such Rule had been Sett limitting the Addreſſes of Subjects in the Plantacons to their Soveraign to be made Only by the conſent & through the hands of their Govern^rs & in this particular caſe our Govern^r had Signified ſo much of his diſapprobation of the proceedings of the Gen^ll Aſſembly on Acc^t of the ſaid Addreſs that we judged it would haue been improper to have deſired or expected his mediation or Concurrence therein But now that we know y^r Matys Pleaſure we ſhall take care in this & all other Applications to y^r Majeſty to obſerve the ſaid Rule as to preſenting our Petitions

In ye Next place it is obſerved of the ſaid Petition wch was preſented to y^r Majeſty in the Name of the Council & Burgeſſes of *Virg^a* that it was ſigned by no more then four of the Members of the ſaid Council But to this we humbly offer to y^r Matys Conſideracõn that it often happens by reaſon of Sickneſs & the very remote & diſtant habitacons of many of the Members of your Council the badneſs of weather & the Unpaſſableneſs of great Rivers & Bays at certain Seaſons that we are Obliged to act wth very Small numbers & particularly at that time there being but a thin Council before the late Nomination & theſe reduced to many inconveniencies by a tedious abſence from home during a very long Seſſion of Aſſembly Sev^ll of them had repaired to their homes to look after their Buiſneſs wch Suffered exceedingly by ſo long abſence by wch means it came to paſs that there were no more of the Council left but thoſe few who Subſcribed the ſaid Petition the reſt who went away before it was finiſhed having been conſenting while they ſtaid to the Sev^ll Reſolves that had been made abo^t it, ſo that it was really an Unanimous conſent of the Council, tho Signed only by thoſe four who gave their attendance to the laſt.

Beſides the Objections ag^t the manner of preſenting the f^d Petition the reaſons for excuſing our Selves from the aforeſaid Contribution are excepted ag^t as inſufficient. To wch all we have to offer is that tho we were then & ſtill are of the Opinion (wth Submiſſion to the better Judgm^ts of the Lords of Council for trade & Plantacons) that the reaſons laid down in the ſaid Petition were very Sufficient to Juſtifie the Proceedings of that Aſſembly wth relation to a Contribution of men & money for *New York* yet ſo great is the deference we haue for y^r Matys Recommendacon of that affair to the preſent Gen^ll Aſſembly that tho the ſaid Reaſons ſeem to us to be ſtill in full force. We have

taken

taken no Notice of them but uſed our beſt endeavours conſiſtent wth the methods of Aſſembly to further the intent of yor Matys gracious Letter wch the houſe of Burg^s^ & to take ſome good method wth y^e^ ſaid houſe for y^r^ Matys Satisfaction

And therefore we doubt not y^r^ Majeſtys candid Conſtruction of our Proceedings wch tho ineffectual to overcome the General diſſatisfactions of the Country & their Repreſentatives in this affair of *New York*. Yett we think it our duty to aſſure y^r^ Majeſty that you reign entirely in the hearts of yor *Virg^a^* Subjects & that there are none in all your Dominions better affected to y^r^ Majeſtys Perſon & Governm^t^ than they are.

And upon this Occaſion we humbly take leave to Congratulate the wonderfull Succeſs of y^r^ Majeſtys forces by Sea & Land in this laſt Summers Expedition and to pray to Almighty God that ye remaining part of yor auſpicious Reign may anſwer ſo glorious a begining to y^r^ Majeſtys immortal Hon^r^ & the happineſs of all yor Subjects & allies.—

An Addreſs from the Council to his Excell^cy^ to pray his favour in tranſmitting the Councils Addreſs to her moſt Sacred Majeſty was read approved & Signed by the whole Council & preſented to his Exc^lly^ in theſe words

*To his Excell^cy^* Francis Nicholſon *Eſq^r^ her Matys Liev^t^ & Govern^r^ Gen^ll^ of* Virg^a^

*May it Pleaſe y^r^ Excell^cy^*

The Council having Unanimouſly agreed upon an Anſwer to her Matys gracious lett^r^ concerning a Contribution of men & money for *New York* Pray y^r^ Excell^cys^ favour in tranſmitting & furthering ye Same to her Royal hands according to a Rule Lately Sett that all addreſſes of Subjects in the Plantacons to their Soveraigns be Sent by the hands of their Govern^rs^ wth wch we readily Comply as being her Matys moſt Loyal & Dutifull Subjects & y^r^ Excell^cys^ moſt hum^ble^ Serv^ts^

Whereupon his Excell^cy^ was pleaſed to ſay to ye Council to this effect that tho he could not Approve of their addreſs to her Maty in that affair of *New York*. Yet becauſe it was her Matys commands he would take care to tranſmit it to her Majeſty

Ordered

That ye Clk of ye Gen^ll^ Aſſembly go to the houſe of Burg^s^ & Command their immediate attendance on his Excell^cy^ in the Council Chamber.

The houſe being come Mr *Speaker* read & then preſented to his Excell^cy^ the following Addreſs

*To his Excell^cy^* Francis Nicholſon *Eſq^r^ her Matys Liev^t^ & Govern^r^ Gen^ll^ of* Virg^a^

*The hum^ble^ Addreſs of the houſe of Burg^s^*

May it Pleaſe y^r^ Excellency

We her Matys Loyal . . . . . [See J. of H. of B., p. 35.]

And then the addreſs of the houſe of Burg^s^ to her moſt Sacred Majeſty was read & delivered to his Excell^cy^

And thereupon his Excell^cy^ ſpoke to the houſe to this effect

Gent

I do in her Matys Name thank you for ye firſt part of y^r^ addreſs congratulating the great & glorious Succeſſes of her Matys Arms by Sea & Land. As to the other part relating to *New York*. I hope you will not expect that I ſhould ſay much to mitigate it to her Maty: you have ſaid as much as can well be on that Subject & becauſe tis her Ma^tys^ commands I ſhall take care to haue it preſented to her Royal hands

Gent

I hear it has been repreſented in yor houſe as if I was diſaffected to this Country. *Gent.* I wiſh all that ever I have writt into *England* were now lying here. And whenever I ceaſe to diſcharge my duty to God, to her Maty & to do all the good I can to this Country may I ceaſe to be alive. I ſhould be ingratefull If I did not return you my hearty thanks for y^r^ Sev^ll^ reſpects to me this Aſſembly concerning what was done in y^r^ houſe particularly for yor kind & obliging Addreſſes

I find it for her Matys Service to prorogue you to the 15th of *October* next & Accordingly this Gen^ll^ Aſſembly is prorogued to ye 15th day of *October* next

383 384

AT A

GENERAL ASSEMBLY

Summoned to meet at her Matys Royal College of *William* & *Mary* adjoining to the City of *Williamsburgh* the Seventeenth & begun the 19th day of *March* 1702 in the Second year of the Reign of our Soveraign Lady *Anne* by the grace of God of *England Scotland France* & *Ireland* Queen Defender of the faith &c and thence continued by several prorogations to the 20th day of *April* 1704 in the third year of her Matys Reign

[From the Public Record Office, *London*, Colonial Office, Class 5, Vol. 1412, p. 509.]

At a General Aſſembly Summoned to meet at her Matys Royal College of *William* & *Mary* adjoining to the City of *Williamſburgh* the Seventeenth & begun the 19th day of *March* 1702 in the Second year of the Reign of our Soveraign Lady *Anne* by the grace of God of *England Scotland France* & *Ireland* Queen Defender of the faith &c and thence continued by several prorogations to the 20th day of *April* 1704 in the third year of her Matys Reign

---

[*April* 20th, 1704.]

Preſent

HIS Excellcy *Francis Nicholſon* Eſqr her Mattes Lievt and Governor General of *Virginia*, *John Lightfoot*, *Benja Harriſon*, *Robert Carter*, *Philip Ludwell*, *Wm Baſſett*, *John Smith* Eſqrs

Ordered

That the Clerk of the Genl Aſſembly go to the Houſe of Burgeſſes, and acquaint them that his Excellcy commands their immediate attendance on him in the Council chamber.

Mr *Speaker* with the Houſe attending, His Excellcy ſpoke to them as follows

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

Her Majeſty Queen *Ann*'s Royal Capitol being the place appointed by act of Aſſembly for holding the General Aſſemblys; And that building being now ſo far finiſhed as to be capable of accomodating this Aſſembly: I do hereby in her Matys name prorogue you to the 21ſt inſtant to meet at her Matys ſaid Capitol, and you are accordingly hereby prorogued.

381-388

AT A

GENERAL ASSEMBLY

Summoned to meet at her Matys Royal College of *William* & *Mary* adjoining to the City of *Williamſburgh* the 17th and begun the 19th day of *March* 1702 in the 2d year of the Reign of our Soveraign Lady *Anne* by the Grace of God of *England Scotland France* and *Ireland* Queen Defender of the faith &c, & thence by ſeveral prorogations continued to, and held at her Maty Queen *Ann*'s Royal Capitol, the 21ſt day of *April* 1704 in the third year of her Majeſtys Reign

[From the Public Record Office, *London*, Colonial Office, Class 5, Vol. 1412, pp. 510-556.]

At a General Assembly Summoned to meet at her Matys Royal College of *William* & *Mary* adjoining to the City of *Williamsburgh* the 17th and begun the 19th day of *March* 1702 in the 2d year of the Reign of our Soveraign Lady *Anne* by the Grace of God of *England Scotland France* and *Ireland* Queen Defender of the faith &c, & thence by several prorogations continued to, and held at her Maty Queen *Ann*'s Royal Capitol, the 21st day of *April* 1704 in the third year of her Majestys Reign

---

[*April* 21st, 1704.]

Present

HIS Excellency *Francis Nicholson* Esqr her Majties Lievtent and Governor General of *Virginia*, *William Byrd*, *John Lightfoot*, *Benja Harrison*, *Robert Carter*, *John Custis*, *Philip Ludwell*, *William Bassett*, *Henry Duke*, *Robert Quary*, *John Smith* Esqrs

Ordered

That the Clerk of the General Assembly go to the house of Burgesses, and acquaint them that his Excellcy commands their immediate attendance on him in the Council Chamber

The House being Come

His Excellcy was pleased to acquaint them, that her Most sacred Majesty haveing been pleased to renew his Commission to be her Majties Lievtent and Governor General of this her Majestys most ancient and great Colony and Dominion of *Virginia*, he would cause the d Commission to be read to them

And accordingly his Excellcys Commission was publickly read by the Clerk of the General Assembly.

After which his Excellency read that part of his Instructions wherein the Council are nominated, and acquainted the House that upon Colo *Matthew Page*'s death, the number of Councelors falling under nine, he had appointed one to Supply that vaccancie

And then Signified to the House that he had Commissionated some of her Matys honble Council to administer the Oaths, unto the Burgesses.

Whereupon the Burgesses withdrew, and the honble *Wm Byrd*, *John Lightfoot* and *Benja Harrison* Esqrs went to administer the Oaths to them.

The Gentlemen of the Council appointed to administer the Oaths to the Burgesses being returned,

Ordered

That the Clerk of the Gent Assembly go to the House of Burgesses & acquaint them that his Excellcy commands their immediate attendance on him in ye Council chamber

The House of Burgesses being come his Excellency made the following Speech

Honble Gentlemen

God Almighty I hope . . . . . [See J. of H. of B., 1702/3-1712, pp. 44-45.]

And then the Burgesses returned to their House

And the Council adjourned till tomorrow morning 9 aclock

Saturday

Saturday April 22d. 1704

Preſent

HIS Excellencie, *John Lightfoot, Benjᵃ Harriſon, Robert Carter, Philip Ludwell, William Baſſett, Henry Duke* Eſqʳᵉ

Ordered

That the Clerk of the Genˡˡ Aſſembly carry the following meſſage in writing from his Excellᶜʸ to the Houſe of Burgeſſes

Mʳ Speaker *& Gentlemen of the Houſe of Burgeſſes*

I have received . . . . . [See J. of H. of B., p. 45.]

A meſſage from the Houſe of Burgeſſes to his Excellᶜʸ by Mʳ *Gawin Corbin* & others in theſe words

Saturday April 22ᵈ 1704

By the Houſe of Burgeſſes

Ordered

That the members of the Comᵗᵗᵉᵉ of Elections & priviledges wait upon his Excy & deſire him to iſſue a new writt for the Election of a Burgeſs to ſerve in this Aſſembly for *Nanſemond* County in the room of Mʳ *Thomas Swan* deceaſed.

Ordered

That the members of the Comᵗᵗᵉᵉ of Elections & priviledges wait upon his Excellᶜʸ & deſire him to iſſue a New writt for the election of a Burgeſs to ſerve in this Aſſembly for *King* & *Queen* County in yᵉ room of Mʳ *Wᵐ Leigh* deceaſed

Ordered

That yᵉ Members of the Comᵗᵗᵉᵉ of Elections and priviledges wait upon his Excellᶜʸ and deſire him to iſſue out a New Writt for the Election of a Burgeſs to ſerve in this Aſſembly for *Middleſex* County in the room of Mʳ *Edwin Thacker* deceaſed.

W. Randolph Junʳ Cl: Ho Burg

The Council adjourned till *Munday* morning 9 aclock

Munday April 24th 1704

Preſent

HIS Excellencie, *William Byrd, Jnº Lightfoot, Robert Carter, Jnº Cuſtis, Philip Ludwell, Henry Duke, Robert Quary, John Smith* Eſqʳᵉ

The petiᶜon of *Teliffe Alvertſon* for Naturalizaᶜon, read and

Referred to yᵉ conſideraᶜon of the Houſe of Burgeſſes

The petiᶜon of *Jnº Veillon, Peter Fonyeilles, John Dep, Francois Colonie Jaqueline Jaques, Bartholomew Depuys, Iſaac ffiguier John Roſſett & Paul Drapier* was read &

Referred to yᵉ conſideraᶜon of the Houſe of Burgeſſes

The petitions of *Cyprian Prou, Peter Rucker, & Iſaac Garret* praying for Naturaliza̅on Were ſeverally preſented & read &

Ordered

That yᵉ ſame be referred to yᵉ Conſideraᶜon of the Houſe of Burgeſſes

The petiᶜon of *Mary Greenfeild* praying Leave to ſell part of her land for her Subſiſtance, her huſband having left her, read &

Referred to the conſideraᶜon of the houſe of Burgeſſes

Robert Carter Eſqʳ abſent

Ordered

That the Clk of the Genˡ Aſſembly carry the following meſſage to the Houſe of Burgeſſes together with the papers relating to yᵉ *ffrench* Refugees

Mʳ Speaker *& Gentlemen of the Houſe of Burgeſſes*

His Excellᶜʸ and the honᵇˡᵉ Council . . . . . [See J. of H. of B., p. 47.]

A meſſage from the Houſe of Burgeſſes to his Excell^cy by Mr *Robert Bolling* & others who brought the following Reſolve

By the Houſe of Burgeſſes

Munday April 24, 1704

Reſolved

That it is the opinion of this Houſe, That in reſpect of her Matys & this Countrys ſervice the better ſecurity of Merchant Ships & the intereſt of Trade in general, it will not be proper for the preſent ffleet to ſail hence before the laſt day of *May* next

W Randolph jun^r Cl Ho: Bur

And then the Council adjourned till to morrow morning 8 aclock

---

Tueſday April ye 25th 1704

preſent

HIS Excellencie, *Benj^a Harriſon, John Cuſtis, Henry Duke, Robert Quary* and *John Smith* Eſq^re

The petiĉon of the Churchwardens of S^t *peters* pariſh in *New Kent* County praying a Diviſion of the ſaid pariſh was read &

Referred to ye conſideraĉon of the houſe of Burgeſſes

The Petiĉon of *James Adams* Interpreter to y^e *Pamunkie* & *Chicahominy* Indians praying allowance of his Sallary, read &

Referred to ye conſideraĉon of the Houſe of Burgeſſes

Ordered

That the Clerk of the Genl Aſſembly carry the following meſſage in writing from his Excell^cy to the Houſe of Burgeſſes

Mr Speaker *& Gent. of the Houſe of Burgeſſes*

I herewith ſend you . . . . . [See J. of H. of B., pp. 48-49.]

Then the Council took into conſideraĉon the Reſolve of the Houſe of Burgeſſes of yeſterday concerning the ffleets ſtaying till the laſt day of *May*, And thereupon

Reſolved

That the Council do concur in opinion with the Houſe of Burgeſſes that it is for her Matys and this Countrys ſervice, the better ſecurity of the Merchant Ships & the intereſt of trade in general that the preſent ffleet do not ſail hence before the laſt day of *May* next.

A complaint of the *Nanſiatico* Indians, read &

Referred to ye conſideration of the houſe of Burgeſſes

Ordered

That the Clerk of the Gen^ll Aſſembly carry the following written meſſage from His Excell^cy to the Houſe of Burgeſſes

Mr Speaker *& Gent of the Houſe of Burgeſſes*

I do in her Matys name . . . . . [See J. of H. of B., p. 49.]

Preſent *Wm Byrd & Jno Lightfoot* Eſq^re

A meſſage to his Excellency from the Houſe of Burgeſſes by Mr *Gawin Corbin* & others who brought the following ord^r

By the Houſe of Burgeſſes

Tueſday April 25. 1704

Ordered

That ye members of the Com^tee of Elections & priviledges wait upon his Ex^cy & deſire him to iſſue out a new Writt for ye election of two Burgeſſes to ſerve in this Aſſembly for *Charles City* County.

Wm Randolph jun^r Cl Ho: Burg^s

Then ye Council adjourned till tomorrow morning 9 aclock

Wedneſday

Wedneſday April ye 26th 1704

Preſent

HIS Excellencie, *William Byrd, John Lightfoot, Robert Carter, Philip Ludwell, William Baſſett, Henry Duke, Robert Quarry, John Smith*

The petiĉon of *John Redwood* keeper of the Country priſon praying allowance of his ſallary & of his charges in entertaining diverſe Criminals Read &

Referred to the conſideraĉon of the Houſe of Burgeſſes

A meſſage to his Excellcy from the Houſe of Burgeſſes by Mr *William Randolph* and others acquainting his Excellcy that they were commanded by the Houſe to wait on him with the following Reſolve

May it pleaſe Yor Excellcy

The Houſe of Burgeſſes having . . . . . [See J. of H. of B., p. 51.]

And alſo the ſd Mr *Randolph* with the other meſſengers preſented to his Excellcy the following Reſolve *Viz*

Wedneſday April 26th 1704

By the houſe of Burgeſſes

Reſolved That it is the opinion of this Houſe that it will be moſt for her Matys & this Countrys ſervice & intereſt that all Ships deſign'd for this Country in time of war do ſail from *England* the latter end of *Auguſt* or the begining of *September*

W Randolph Junr Cl Ho Burg

And then ye Council adjourned till to morrow morning 9 aclock

---

Thurſday April 27th 1704

preſent

HIS Excellencie, *William Byrd, John Lightfoot, Robt Carter, Jne Cuſtis, Philip Ludwell, William Baſſett, Henry Duke, Robert Quary, & Jne Smith* Eſqrs

A petiĉon of *Edmund Jenings* Eſqr *Thomas Barber & Thomas Ballard* Gent praying allowance for their attending as a Committee for directing the work of the Capitol, Read &

Referred to ye conſideraĉon of the Houſe of Burgeſſes

A petiĉon of *Thomas Whitby* praying ſome conſideraĉon for extraordinary ſervices about ye Capitol

A petition of *Thomas Wynne* praying allowance for what is due to him as Interpr to the *Nattoway* Indians &c

A petiĉon of the *Nattoway* Indians praying leave to hunt amongſt the Inhabitants &c

And alſo

A petiĉon of *John Holt* praying leave to keep fferry from *Hog Iſland* on *James* River

Were ſeverally read, and Referred to ye conſideraĉon of the Houſe of Burgeſſes

Ordered

That the Clk of the Genll Aſſembly carry the following meſſage in writing to the Houſe of Burgeſſes

By his Excellcy and the honble Council

Mr Speaker & *Gent of the Houſe of Burgeſſes*

His Excellency & the honble Council have . . . . . [See J. of H. of B., p. 53.]

Ordered

That the Clerk of the Genll Aſſembly carry the following meſſage in writing to the Houſe of Burgeſſes

By his Excy & the honble Council

Mr Speaker & *Gent of the Houſe of Burgeſſes*

Upon conſidering ye Reſolve . . . . . [See J. of H. of B., pp. 52-53.]

Ordered

Ordered

That the Clerk of the General Aſſembly carry the following meſſage to the Houſe of Burgeſſes

By his Excell^cy & the hon^ble Council

Mr Speaker *& Gent of the Houſe of Burgeſſes*

His Excell^cy and the hon^ble Council finding . . . . . [See J. of H. of B., p. 53.]

A petiĉon of Mr *Henry Cary* overſeer of the work at ye Capitol praying directions in ſeveral matters relating thereto

And alſo A petiĉon of the ſaid *Henry Cary* praying allowance for extraordinary Services about ye Capitol & priſon

Were Severally Read & Referred to ye conſideraĉon of the Houſe of Burgeſſes.

Ordered

That the Clerk of the Gen^ll Aſſembly carry the following written meſſage from his Excell^cy to ye Houſe of Burgeſſes

Mr Speaker *& Gent of the Houſe of Burgeſſes*

I recommend to you . . . . . [See J. of H. of B., p. 55.]

A petition of *Chickeley Corbin Thacker* in behalf of Mr Secry *Jenings* praying allowance for iſſuing diverſe Military Commiſſions

A petiĉon of the ſ^d *Chicheley Corbin Thacker* in behalf of Mr Secretary *Jenings* praying allowance for five new Writts iſſued out this Seſſion

Alſo

A petiĉon of the ſ^d *Chicheley Corbin Thacker* praying allowance for publick Services as Clerk of the Secretarys office to *Octobor* laſt

And likewiſe

A petiĉon of *Charles Chiſwell* Clerk of the Secretarys office praying allowance for publick Services ſince *Octobor* laſt

Were Severally Read &

Referred to ye conſideraĉon of the Houſe of Burgeſſes

And then ye Council adjourned till tomorrow morning 9 aclock

---

Friday April 28th 1704

Preſent

HIS Excellency, *William Byrd, Jno Lightfoot, Benj^a Harriſon, Robert Carter, Jno Cuſtis, Philip Ludwell, W^m Baſſett, Henry Duke, Robert Quary & Jno Smith* Eſq^rs

A petiĉon of *Joſiah Ship* of *Eſſex* County praying leave to keep a ferry over *Rappahannock* River read &

Referred to ye conſideraĉon of the Houſe of Burgeſſes

The Council adjourned till tomorrow morning 9 aclock

Saturday April 29th 1704

preſent

HIS Excellency, *William Byrd, John Lightfoot, John Cuſtis, Philip Ludwell, W^m Baſſett, Henry Duke, Robert Quary* and *Jno Smith* Eſq^rs

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes & acquaint them that his Excell^cy commands their immediate attendance on him in ye Council Chamber

M^r

Mr *Speaker* with the Houſe being come into the Council Chamber, His Excellcy was pleaſed to make the following Speech, and afterwards delivered a copy thereof to the Speaker, in theſe words

Mr Speaker *& Gent of the Houſe of Burgeſſes*

I hope in God . . . . . [See J. of H. of B., pp. 58-59.]

And then the Council adjourned till *Munday* morning 9 aclock.

Munday May the 1ſt 1704

preſent

HIS Excellency, *John Cuſtis, Philip Ludwell, Henry Duke, Robert Quary* and *John Smith* Eſqrs

An informacon being given to his Excellcy & the Council of ſome dangerous practices of two *Chicahominy* Indians

Ordered

That the ſame be referred to the conſideracon of the Houſe of Burgeſſes

A meſſage from the Houſe of Burgeſſes to his Excellcy and the Council by Mr *Wm Randolph* & others acquainting his Excellcy and their Honrs that they were commanded by the Houſe to preſent the following meſſage wch contains their reaſons for their former Reſolve about the Ships

May it pleaſe yor Excellcy and Honrs

The Houſe of Burgeſſes having . . . . . [See J. of H. of B., pp. 59-60.]

Ordered

That the conſideracon of the ſaid Meſſage be referred till to morrow morning

And then the Council adjourned till to morrow morning 9 aclock

---

Tueſday May the 2d 1704

Preſent

HIS Excellency, *Jno Lightfoot, Jno Cuſtis, Philip Ludwell, Henry Duke, Robert Quary, Jno Smith* Eſqrs

The Council (according to order) took into conſideration the Houſe of Burgeſſes meſſage ſent yeſternight Signifying their Reſolutions on his Excys & the Councils meſſage of the 27th of *April* in relation to the Ships, and an addition being propoſed thereto, the ſaid anſwer and Reſolutions of the Houſe & addition were read & thereupon

Reſolved

That the Council do agree to the Reſolutions of the Houſe of Burgeſſes with that Addition

Ordered

That the Clerk go to ye Houſe of Burgeſſes and acquaint them that the Council have agreed to the ſaid Reſolutions with an addition to wch they deſire the Burgeſſes concurrence

A meſſage from the Houſe of Burgeſſes to his Excellcy & Council by Mr *William Byrd* & others who brought the following Reſolves to wch they deſire his Excys & the Councils concurrence

Munday May the 1ſt 1704

By the Houſe of Burgeſſes

Reſolved

That the old Houſes belonging to Mr *John Page* ſtanding in the middle of *Glocester* ſtreet be pulled down

Reſolved

That the ſaid Houſe be valued by four men upon Oath

Ordered

Ordered

That the Sheriff of *York* County forthwith Summon four freeholders of his County & that the ffreeholders ſo Summoned being ſworne before any one of her Matys Juſtices of the peace for the ſd County value the old houſes belonging to Mr *John Page* ſtanding in the Midde of *Glocester* Street, and make Return of their proceedings therein to the Houſe with all convenient expedition

Reſolved

That the Houſe doth agree to his Excellcys propoſition in his meſſage to this Houſe on the 27th of *April* in theſe words

That each of the Garretts of the Eaſt & Weſt ffronts of the Capitol be divided into four Roomes and thus appropriated *viz* one for the Auditor, One for the Secretary. One for the Judge of the Vice Admiralty, One for my Lord Biſhop of *London*'s Commiſſary, One to keep all the Collectors accounts & papers, wch are to be returned every eighteen moneths, & one for the Naval Officers to be imployed for the ſame uſe. One for the Attorney General. & one for the Sheriff attending the General Court

That the Garret over the Conference Room be divided into four Cloſetts to be thus appropriated *Viz*t one for the Clerk of the Genll Aſſembly, one for the Clerk of the Houſe of Burgeſſes, & one for each of the two Clerks of the Committees.

That the Garrets in the roof be boarded & ſo made capable of holding Several things & other uſes

Reſolved

That it be left to his Excellcy the Governor to make his choice whether he will buy or Leaſe the Houſes built for the workmen at the Capitol.

*W*m *Randolph* Junr Cl: Ho: Bur.

Reſolved

That ye Council do aſſent to the ſaid Reſolves of the Burgeſſes

And then his Excellcy Signed his aſſent thereto

Ordered

That a warrant be prepared in purſuance of the ſaid Reſolves to the Sheriff of *York* County to Summon four Freeholders of that County to value the Houſes belonging to Mr *John Page* ſtanding in the middle of *Glocester* ſtreet, and make Return of their proceedings to the Houſe of Burgeſſes

Ordered

That the Clerk of the Genll Aſſembly carry the following meſſage to the Houſe of Burgeſſes

By his Excellcy and the honble Council

*M*r Speaker *& Gent of the Houſe of Burgeſſes*

Whereas many times . . . . . [See J. of H. of B., p. 65.]

And then the Council adjourned till tomorrow morning 9 aclock.

Wedneſday May the 3d 1704

Preſent

HIS Excellencie, *Jno Lightfoot, Jno Cuſtis, Philip Ludwell, Henry Duke, Robt Quary, Jno Smith* Eſqrs

The warrant to the Sheriff of *York* for Summoning four Freeholders of the ſd County to value the old Houſes belonging to Mr *Jno Page* ſtanding in *Glocester* ſtreet Read and

Ordered

That the Clerk of the Genll Aſſembly carry the ſame to the Houſe of Burgeſſes for their peruſal and approbacon

Ordered

That the Clerk of the Genll Aſſembly carry the following meſſage in writing from his Excellency to the Houſe of Burgeſſes

*M*r

Mr Speaker *& Gent of the Houſe of Burgeſſes*

Since I find . . . . [See J. of H. of B., p. 64.]

Ordered

That the Clerk of the General Aſſembly carry the following written meſſage to the Houſe of Burgeſſes

By his Excellcy & the honble Council

Mr Speaker *& Gent of the Houſe of Burgeſſes*

His Excellency . . . . . [See J. of H. of B., p. 66.]

Ordered

That the Clerk of the General Aſſembly carry to the Houſe of Burgeſſes for their peruſal the order of his Excellency in Council of the 29th of laſt month for the Commodore's ſtaying till the laſt day of *May* next.

A meſſage from the Burgeſſes to his Excellcy by Mr *William Robinſon* & others who brought back the warrant for Summoning four ffreeholders of *York* County to value the old Houſes ſtanding in *Glocester* ſtreet, and acquainted his Excellcy that the Houſe approved thereof with an amendment propoſed by them

Whereupon the ſaid warrant was read, and the amendment agreed to & inſerted, &

Ordered

That ye ſame be fairly tranſcribed for his Excellcys Signing & the ſeal of the Colony affixt to it

And then the Council adjourned till tomorrow morning 9 aclock

---

Thurſday May the 4th 1704.

Preſent

HIS Excellency, *John Lightfoot, Robert Carter, John Cuſtis, Philip Ludwell, Henry Duke, Robert Quary & Jno Smith* Eſqrs

Mr *Attorney General* having prepared a draught of a Commiſſion for adminiſtring the Oaths to the *ffrench* Refugees in order to their Naturalizacon

Ordered

That the Clerk of the General Aſſembly carry the ſame to the Houſe of Burgeſſes for their peruſal

The Council adjourned till to morrow morning 9 aclock

Friday May the 5th 1704

Preſent

HIS Excellency, *Jno Lightfoot, Robert Carter, Jno Cuſtis, Philip Ludwell, Henry Duke, Robert Quary & Jno Smith* Eſqre

A meſſage from the Houſe of Burgeſſes to ye Council by Mr *Covington* & others who brought An Engroſſed Bill from the Burgeſſes Ent *an Act for dividing* Sittenburn *Pariſh*

And the ſd bill was read the firſt time, and ordered a Second reading.

A meſſage from the Houſe of Burgeſſes to ye Council by Mr *Charles Aſhton* & others who brought the following bills to wch they deſire their Honrs concurrence *Viz*

A bill Ent *an act for dividing* St peters *pariſh in* New Kent *County*

A bill Ent *an act for reviving the* act for the better improving the breed of horſes & for reſtraining unruly horſes

A bill Ent *an act to repeal the* 2d *act of Aſſembly made in the year 1664 Ent* an act for ffrontiers to be Seated with four able hands

A bill Ent *an act for tareing & aſcertaining the Size of Tobacco hogſheads*

A bill Ent *an act to prevent Indians hunting and ranging upon patented lands*

And

And the ſaid bills were read the firſt time, and Ordered a ſecond reading to morrow morning

Alſo the ſd Mr *Afhton* preſented the following order of the Houſe of Burgeſſes to wch they deſire the Councils concurrence

Friday May 5th 1704

By the Houſe of Burgeſſes

Ordered

That the Sum of three pounds be paid to Mr *Jno Page* out of the money in Mr *Treaſurers* hands from ye late Impoſitions on Liquors, Servants & Slaves

Ordered

That Mr *Henry Cary* forthwith ſet the labourers imployed about the building of the Capitol to pull down the four old houſes & Oven belonging to Mr *John Page* which ſtand in *Glocefter* ſtreet, and have been appraiſed, and that they lay the bricks out of the Street on the Lott of the ſaid *John Page*

Wm *Randolph* Junr Cl Ho: Burgs

And the ſaid Order being read

Reſolved

That the Council do aſſent thereto

And then his Excellcy was pleaſed to ſign his Aſſent to the Same

Ordered

That the Clerk of the Genll Aſſembly carry back the ſd order to the Houſe of Burgeſſes & acquaint them his Excy & the Council have aſſented thereto

And then the Council adjourned till to morrow morning 9 aclock

---

Saturday May ye 6th 1704

Preſent

HIS Excellency, *John Lightfoot, Robert Carter, Jno Cuſtis, Philip Ludwell, Henry Duke, Robert Quary & Jno Smith* Eſqrs

An Engroſſed bill from the Burgeſſes Ent *an Act for the better improving the breed of horſes & for reſtraining unruly horſes* read the 2d time & Committed for amendments to *Robert Carter, Jno Cuſtis & Philip Ludwell* Eſqrs

An Engroſſed bill from the Burgeſſes Ent *an act for dividing* St peters *pariſh in* New Kent *County*, read the ſecond time, and ordered to be read ye 3d time.

An Engroſſed bill from the Burgeſſes Ent *an act for dividing* Sittenburn *pariſh* read the 2d time & Ordered to be read the third time

An engroſſed bill from the Burgeſſes Ent *an Act to repeal the ſecond act of Aſſembly made in the year 1664 Ent* an act for the ffrontiers to be ſeated with four able hands Read the 2d time, and Ordered to be read the third time

An Engroſſed bill from the Burgeſſes Ent *an Act to prevent Indians hunting and ranging upon patented Lands*, Read ye 2d time, and Ordered, to be read the third time

An Engroſſed bill from the Burgeſſes Ent *an act for taring and aſcertaining the Size of Tobacco hogſheads* Read the ſecond time and

Committed for amendments to *Robert Carter, John Cuſtis & Philip Ludwell* Eſqrs

A meſſage from the Houſe of Burgeſſes to ye Council by Mr *Miles Cary* & others who brought the following bills to wch they deſire their Honrs concurrence, *viz*

A Bill Ent *an act for reviving the Impoſitions on Liquors Servants & Slaves for one year & no longer*

A bill Ent *An Act for removing Criminals from the Goals of the Countys where they ſhal be apprehended to the publick Goal at* Williamſburgh

And the ſaid Bills were read the firſt time & ordered a 2d reading

Mr *Miles Cary* & others from the Houſe of Burgeſſes brought the Books of publick Claimes to wch they deſired the Councils concurrence

Ordered

That the Books of Claimes be Read on *Munday* next

And then ye Council adjourned till *Munday* morning 10 aclock

Munday

Munday May the 8th 1704

preſent

HIS Excellency, *John Lightfoot. Robert Carter, Jn° Cuſtis, Philip Ludwell, Henry Duke, Robert Quary & Jn° Smith* Eſq^rs

Robert Carter Eſq^r from ye Committee to whom it was referred to prepare amendm^ts to the Bill Ent *an Act for the better improving the breed of horſes & for reſtraining unruly horſes*, Reported ye amendments made by them to the ſaid bill, wch he read in his place and afterwards delivered in at the Table where the Same were again read & (with ſome alteration) Agreed to

Reſolved

That the Bill with the amendments do paſs

Ordered

That the Clerk of the Gen^ll Aſſembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that the Council have aſſented thereto with ſome amendments to wch they deſire the concurrence of the Houſe

Robert Carter Eſq^r from the Com^tee to whom it was referred to prepare amendm^ts to the Bill Ent *an act for taxing and aſcertaining the ſize of Tobacco hogſheads*, Reported the ſeveral amendments and Additions made by them to the ſaid bill, wch he read in his place, and afterwards delivered in at the Table, where y^e ſame were again thrice read & (with ſome alteracõn) agreed to

Reſolved

That the bill with the amendmts & additions do paſs

Ordered

That ye Clerk of the Genl Aſſembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that the Council have aſſented thereto with diverſe amendm^ts & Additions to wch they deſire the concurrence of the Houſe

The Council (according to order) proceeded to the reading the book of Claimes And the book of Claimes made up in *April* 1702 being firſt read

Reſolved, that the ſaid Book be aſſented to, and that the Clerk certify thereon that y^e ſame is aſſented to by the Council

Then his Excell^cy was pleaſed to Sign his Aſſent to the ſame in theſe words

"*Munday May* 8th 1704 This book of Claimes (except that propoſal of paying "12^s for every Military Commiſſion out of the two ſhillings ℔ hogſhead) is aſſented to by

ffr: Nicholſon

The Council took into conſideracõn the book of Claimes made up this preſent Seſſion, and the ſame being read over

Reſolved

That the ſ^d Book of publick Claimes do paſs, and that the Clerk of the Gen^ll Aſſembly certify thereon that y^e ſame is aſſented to by the Council.

And then his Excell^cy was pleaſed to ſign his aſſent thereto

An Engroſſed bill from the Burgeſſes Ent *An Act to repeal the 2^d Act of Aſſembly made in the year 1664 Ent* an act for the ffrontiers to be Seated with four able hands, Read ye 3^d time and paſt without any amendment

Ordered that the Clerk of the Gen^ll Aſſembly carry the ſaid bill to the Houſe of Burgeſſes, and acquaint them that the Council have agreed to ye Same without any amendment

An Engroſſed bill from the Burgeſſes Ent *an act for dividing* Sittenburn *pariſh* Read ye third time, and paſt without any amendment

Ordered

That the Clerk of the Gen^ll Aſſembly carry the ſ^d bill to the Houſe of Burgeſſes & acquaint them that the Council have agreed to y^e ſame without any amendm^t

An Engroſſed Bill from the Burgeſſes Ent *an act for dividing* S^t peters *pariſh in* New Kent *County* Read the 3^d time & paſt without amendment.

Ordered

Ordered that the Clerk of the Genll Affembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that the Council have agreed thereto without any amendmt

An Engroſſed bill from the Burgeſſes Ent *an act to prevent Indians hunting and ranging upon patented Lands*, read the 3d time & paſt without amendment

Ordered. that the Clk of the Genll Aſſembly carry the ſd bill to the Houſe of Burgs and acquaint them that ye Council have agreed thereunto without any amendment.

An Engroſſed bill from the Burgeſſes Ent *an act for removing Criminals from the Goals of the Countys where they ſhal be apprehended to the publick Goal at* Williamſburgh read the 2d time &

Ordered a third reading to morrow morning

An Engroſſed bill from the Burgeſſes Ent *an act Reviving the Impoſitions on Liquors ſervants & Slaves for one year & no longer*, read the ſecond time And an amendment made thereto

Ordered,

That the ſd bill & amendmt be read ye third time to morrow morning

And then ye Council adjourned till to morrow morning 9 aclock

---

Tueſday May the 9th 1704

preſent

HIS Excellencie, *Jno Lightfoot*, *Robert Carter*, *Jno Cuſtis*, *Philip Ludwell*, *Henry Duke*, *Robert Quary* and *Jno Smith* Eſqrs

An Engroſſed bill from the Burgeſſes Ent *an act reviving the Impoſitions on Liquors Servants and Slaves for one year & no longer*, read the 3d time with the amendmts and agreed to by the Council

Reſolved

That the bill with the amendments do paſs

Ordered, that the Clerk of the Genll Aſſembly carry the ſaid bill to ye Houſe of Burgeſſes, and acquaint them that the Council have agreed to the ſame with the amendmts to wch they deſire the concurrence of the Houſe.

An engroſſed bill from the Burgeſſes Ent *an act for removing Criminals from the Goals of the Countys where they ſhal be apprehended to ye publick Goal at* Williamſburgh, Read the 3d time, and agreed to by the Council

Ordered, that the Clerk of the Genll Aſſembly carry the ſd bill to the Houſe of Burgeſſes, and acquaint them that the Council have agreed thereto without any amendmt

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Gawin Corbin* & others who brought back the bill Ent *An Act for taring and aſcertaining the Size of Tobacco hogſheads*, and alſo, the bill Ent *an act reviving the* act for the better improving the breed of horſes & for reſtraining unruly horſes, and acquainted their Honrs that the Houſe had agreed to ye amendments propoſed by them to the ſd bills & had inſerted them therein.

And likewiſe the ſaid Mr *Gawin Corbin* preſented to his Excellcy & the Council the following Reſolves of the Houſe *Viz*t

Munday May the 8th 1704

By the Houſe of Burgeſſes

Upon conſideracõn of the Report . . . . . [See J. of H. of B., p. 74.]

Alſo the ſaid Mr *Corbin* brought an Engroſſed bill from the Burgeſſes Ent *an act for allowing a greater number of publick Ordinarys* to wch they deſire ye Councils concurrence

And the ſd bill was read the firſt time and ordered a ſecond reading.

Then the Council read the Bill Ent *an act for taring & aſcertaining the Size of Tobacco hogſheads*, And compared the ſame with the amendmts made by them thereto and *Ordered*, that the ſd bill be returned again to the Houſe

As

As alſo the bill Entituled *An act reviving the* act for the better improving the breed of horſes, was read and compared with ye amendments made by the Council thereunto, and

Ordered

That the Clerk of the Gen^ll^ Aſſembly return the ſaid bill to the Houſe of Burgeſſes

And then ye Council adjourned till to morrow morning 9 aclock.

Wedneſday May the 10th 1704

preſent

HIS Excellency, *Jno Lightfoot, Robert Carter, Jno Cuſtis, Philip Ludwell, Henry Duke, Robert Quary & Jno Smith* Eſq^rs^

Ordered

That the Clerk of the General Aſſembly carry the following meſſage in writing to the Houſe of Burgeſſes

By the hon^bl^ Council

*M^r^* Speaker *& Gent of the Houſe of Burgeſſes*

The Council having yeſterday ſent down to yor Houſe the bill for reviving the Impoſitions on Liquors, Servants & Slaves for one year & no longer, with a propoſal of an Amendment thereto, Do now acquaint you that they are willing to recede from that amendment and to paſs the bill without it

An Engroſſed bill from the Burgeſſes Entituled *an Act for allowing a greater number of publick ordinarys* read ye Second time, and an Amendment being propoſed thereto, the ſame was read twice, and agreed to, and

Ordered

That the ſaid bill and amendments be read the third time

A meſſage from the Houſe of Burgeſſes to ye Council by Mr *Miles Cary* & others who brought the bill for reviving the impoſitions on Liquors Servants & Slaves for one year and no longer, and acquainted their Hon^rs^ that ſince they had been pleaſd to recede from their amendment to the ſ^d^ Bill, The Houſe had commanded them to return the ſame, and that the houſe expected their Hon^rs^ concurrence thereto.

The ſaid Mr *Cary* preſented an Engroſſed bill from the Burgeſſes Ent *an Act appointing a Treaſurer*, to wch they deſire the Councils concurrence

As alſo preſented the following Reſolves to wch the Houſe deſire the Councils concurrence

Wedneſday May the 3^d^ 1704

By the Houſe of Burgeſſes

Reſolved

that ten thouſand acres of land be laid out at the *Manakin* town and appropriated to the uſe of the *ffrench* Refugees there ſettled

Reſolved

That every *ffrench* Refugee inhabiting at *Manakin* town & parts adjacent have liberty to take up ſo much of the ſaid ten thouſand acres as will make the quantity (already taken up) one hundred and thirty three acres

Reſolved

That the ten thouſand Acres of land appropriated for the uſe of the *ffrench* Refugees ſettled at *Manakin* Town, be laid out ſo as to include the Lower Settlement on the River, and thence runing along the River upwards ſo as to include the Upper Settlement and thence runing ſo far back into the woods as will give the quantity of ten thouſand Acres.

W. Randolph Cl Ho: Bur:

Munday May the 8th 1704

By the Houſe of Burgeſſes

Reſolved

That the publick priſon be included within the bounds appropriated to ye Capitol and that the ſ^d^ bounds already aſcertained for the ſ^d^ Capitol be continued from the

Main

Main road juſt before the door of one of the Capitol Houſes to the extent of fourty one poles to a poſt, thence including the priſon, thirty two poles to a poſt on the Weſt ſide of the Spring, thence fourteen poles to the corner of a Ditch, thence along the ſaid Ditch thirty poles and a half to a poſt by the ſaid Ditch, and from thence to the begining place

Ordered

That Mr *Henry Cary* after the Capitol is finiſhed ſell by Outcry what utenſils bedding, and other moveables he hath under his care for the carrying on the building the ſd work, and that he take bond with good ſecurity for the payment of the money by the purchaſers & give a year to pay in

W Randolph Cl: Ho: Bur.

Tueſday May the 9th 1704

By the Houſe of Burgeſſes

Reſolved

That the Capitol inſtead of being railed in, be incloſed with a good brick wall of two brick thick, & four foot and a half high upon the Level within the wall, and that the ſd wall be diſtant ſixty foot from the ffronts of the Eaſt & weſt building, and fifty foot from the North & South end of the ſd building, with four Suitable Entrances into ye ſame.

W Randolph Cl Ho: Bur:

Wedneſday May the 3d 1704

By the Houſe of Burgeſſes

Reſolved and accordingly Ordered

That Stones be ſent for & ſet up to diſtinguiſh the bounds of the Square markt out for the Capitol and the bounds & Rules of the priſon

Reſolved and accordingly Ordered

That the Dial plates ſent in for the Clock be diſpoſed of by the Committee appointed to inſpect and overſee the building of the Capitol as they ſhal think fitt

Reſolved & accordingly Ordered

That Dial plates for the Clock be drawn on the Square of the Cupulo

Reſolved

That the *Virginia* arms be ſent for, and that they be ſet up in the room where the Houſe of Burgeſſes ſitt

Copy *Teſt W Randolph* junr Cl Ho Bur

And in like manner Mr *Cary* preſented the following Reſolves of the Houſe and deſired the Councils concurrence thereto. *viz*

Tueſday May the 9th 1704

By the Houſe of Burgeſſes

Upon conſideration of the Report of the Committee made upon the peticon of *Richd Ligon* to be reſtored to his place of Surveyor of *Henrico* County, for wch he hath for ſometime been Suſpended,

The Houſe agreed to the Report of the Committee *Viz*t

That ſince he hath loſt the profitt & advantage of his Surveyors place from the 26th of *Auguſt* laſt, and attended two Genll Courts at his own charge, he has had conſiderable puniſhment, and therefore hope his Excellcy will pleaſe that he may be reſtored to ye ſd place of Surveyor of *Henrico* County

W Randolph junr Cl Ho: Burgs

Mr *Miles Cary* and others Brought the following meſſage from the Houſe of Burgeſſes to his Excellcy

Tueſday May ye 9th 1704

By the Houſe of Burgeſſes

Upon conſideracon of the Report of the Committee made upon the Complaint of Capt *Perry* a *Chicahominy* Indian agt *James Muſt* and *Cofcohunk* of the ſame Town for burning his the ſd *perrys* Cabbin, and threatning to go to ye *Senequas*, join with them, and bring them down to deſtroy the *Engliſh*

The

The Houſe agreed to the Report of the Committee *Viz*t

That as to burning the ſaid Cabbin & the quarrell amongſt themſelves they have proviſions amongſt them for puniſhing any that ſhal offend agt their Laws or Rules and as to the words threatning the Government, that his Excellcy will be pleaſed to conſider the ſame and give ſuch directions therein as to him ſhal ſeem moſt fitt

*W*m *Randolph* Cl Ho: Bur:

A meſſage from the Houſe of Burgeſſes to his Excellcy and the Council by Mr *Benjamin Harriſon* & others, who firſt read, and then delivered an Addreſs to her moſt Sacred Majeſty prepared by the Houſe of Burgeſſes to wch they deſire his Excellcy's and the Councils concurrence.

Which Addreſs is as followes

To the Queens moſt Excellt Majeſty

May it pleaſe Yor Majeſty

We yor Majeſty's moſt Loyal . . . . . [See J. of H. of B., pp. 78-79.]

Reſolved

That the Addreſs be agreed to by the Council without any alteracon

And then his Excellency and the Council Sign'd the ſame, and

Ordered

That the Clerk of the Genll Aſſembly carry the ſd Addreſs to the houſe of Burgeſſes, and acquaint them that his Excellcy and the Council have Sign'd the ſame and deſire the Houſe may fill it up accordingly.

An Engroſſed bill from the Burgeſſes Entituled *an Act appointing a Treaſurer* Read the firſt time, and Ordered a ſecond reading

The Engroſſed bill for Reviving the Impoſitions on Liquors Servants & Slaves for one year & no longer was aſſented to by the Council, and

Ordered

That the Clerk of the General Aſſembly return the ſaid bill to the Houſe of Burgeſſes & acquaint them of the Councils aſſent to ye ſame.

And then the Council adjourned for an hour

THE Council being Reſumed

An Engroſſed bill from the Burgeſſes Ent *An Act allowing a greater number of publick Ordinarys*, was read the third time with ye amendment

Reſolved

That the bill with the amendmt do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that the Council have Aſſented thereto with an amendmt to wch they deſire the concurrence of the Houſe

An Engroſſed bill from the Burgeſſes Ent *an act appointing a Treaſurer* Read the 2d time, and Ordered a third reading

Then the Reſolves of the Houſe of Burgeſſes ſent up this day in a meſſage by Mr *Miles Cary* & others were read, and thereupon

Reſolved

That the Council do aſſent to the ſeveral Reſolves of the Houſe made the 3d of this *inſtant May* relating to the Land to be appropriated for the *ffrench* Refugees at the *Manakin* Town

To wch his Excy was alſo pleaſed to ſign his Aſſent

And upon reading the Reſolve of the Houſe of Burgeſſes of the 8th of this *inſtant* relating to the bounds of the Capitol and priſon, and impowering Mr *Henry Cary* to ſell by Outcry the Utenſils bedding and moveables he hath under his care

Reſolved

That ye Council do concur with the Burgeſſes in the Subject matter of the ſaid Reſolve

And

And upon the Reſolve of the Houſe of Burgeſſes of the 9th *inſtant* directing the incloſing the Capitol with a brick wall

The Council do agree to the ſaid Reſolve as it is paſt by the Houſe

Upon reading the Reſolve of the Houſe of Burgeſſes of the 3d of this *inſtant* directing that Stones be ſent for & ſet up to diſtinguiſh the bounds of the Square markd out for the Capitol & bounds & Rules of the priſon, and alſo giving directions in relations to the Dial plates & *Virginia* arms

Reſolved

That the Council do aſſent to the ſeveral directions given therein by the Houſe

And then his Excellcy was pleaſed to ſign his aſſent to ye Said Sevll Reſolves aforementioned

Ordered

That the Clerk of the Genll Aſſembly return the ſaid Reſolves to the Houſe & acquaint them that his Excellcy and the Council have aſſented thereto

Upon reading the Reſolve of the Houſe of Burgeſſes Sent this day in relacon to *Richard Ligon*

Reſolved

That the Council do concur with the Houſe of Burgeſſes in the ſaid Reſolve and that his Excellcy be humbly deſired to reſtore the abovenamed *Richd Ligon* to his place of Surveyor of *Henrico* County

Upon wch his Excellcy was pleaſed to Signify his aſſent in theſe words

"*May* ye 10th 1704

"The above Requeſt of the Council & Houſe of Burgeſſes is aſſented to, with this "Declaration that ye ſame ſhal not be conſtrued as an approbation of the ſd *Ligons* actions, "nor to make good the Survey by him made for wch he was Suſpended.

ffr: Nicholſon

Ordered

That the Clerk of the General Aſſembly return the ſaid Reſolves to the Houſe of Burgeſſes & acquaint them that the ſame are aſſented to by his Excy & the Council.

Upon reading the Reſolve of the Houſe of Burgeſſes of the 9th of this *inſtant* proceeding upon the Complaint of Capt *Perry* a *Chicahominy* Indian

Reſolved

That ye Same be aſſented to by the Council

And then his Excellcy Signed his Aſſent to ye ſame

Ordered

That the Clerk of the General Aſſembly carry the ſaid Reſolves to the Houſe of Burgeſſes and acquaint them that his Excellcy and the Council have aſſented thereto

And upon reading the ſeveral Reſolves of the Houſe of Burgeſſes of ye 8th *inſtant* made upon the reſpective peticons of the *Nanſiatico* and *Nattoway* Indians & ſent up to the Council yeſterday

Reſolved

That the Council do aſſent to the ſeveral Reſolves of the Houſe made on the ſd reſpective peticons

And then his Excellcy Sign'd his aſſent to ye Same

Ordered

That the Clerk of the Genll Aſſembly return the ſd Reſolves to the Houſe of Burgeſſes and acquaint them that ye ſame are aſſented to by his Excellcy and the Council

And then ye Council adjourned till to morrow morning 9 aclock

---

Thurſday May the 11th 1704

Preſent

HIS Excellency, *Jne Lightfoot, Robert Carter, Jne Cuſtis, Philip Ludwell, Henry Duke, Robert Quary & John Smith* Eſqrs

Ordered

That the Clerk of the General Aſſembly carry the following meſſage in writing from his Excellency to the Houſe of Burgeſſes

Mr

Mr Speaker *& Gent of the Houſe of Burgeſſes*

I thank God . . . . . [See J. of H. of B., p. 79.]

An Engroſſed bill from the Burgeſſes Ent *An Act appointing a Treaſurer* read the third time, and agreed to without amendment

Reſolved

That the bill do paſs

Ordered

That the Clerk of the Genll Aſſembly carry the ſd bill to the Houſe of Burgeſſes & acquaint them that the Council have aſſented to ye ſame without any amendment.

Ordered

That the Clk of the Genll Aſſembly carry to the Houſe of Burgeſſes the orders of Council this day made upon the ſeveral Reſolves of the Houſe paſt this Seſſion, and acquaint them that his Excellcy & the Council deſire they will return the order of Council directing the Commodore's Staying till the laſt of *May*, as alſo the draught of a Commiſſion prepared by Mr *Attorney General* for adminiſtring the Oaths to the *ffrench* Refugees wch were ſent them ſometime ſince for their peruſal.

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Corbin* & others that the Houſe had comanded them to wait on their Honrs with the bill Ent *An Act for allowing a greater number of publick Ordinarys*, and to acquaint them that the Houſe had agreed to the amendment made by their Honrs to the ſaid bills, and had inſerted it therein

And alſo preſented an Ordinance of Aſſembly for the defence of the Country in times of danger to wch they deſire the Councils concurrence

And the ſaid Ordinance was read & aſſented to by the Council.

Ordered

That the Clerk of the Genll Aſſembly carry back the ſaid Ordinance to ye Houſe of Burgeſſes and acquaint them that the Council have aſſented thereto without any amendment

The Engroſſed bill Ent *An Act for allowing a greater number of publick ordinarys* was compared with the amendments made thereunto by the Council, and

Ordered, to be returned to ye Houſe of Burgeſſes

Ordered

That the Clerk of the General Aſſembly carry the following meſſage in writing from his Excellency to the Houſe of Burgeſſes

Mr Speaker *& Gent of the Houſe of Burgeſſes*

I am obliged to you . . . . . [See J. of H. of B., p. 81.]

A meſſage to the Council from the Burgeſſes by Mr *Churchhill* & others who brought up Mr Treaſurer *Carter*s accompts paſt by the Houſe to which they deſire the Councils concurrence

Reſolved

That the Council do concur with the Burgeſſes in paſſing Mr Treaſurer *Carters* accots

And then his Excellcy Signed his aſſent to ye ſame.

Ordered

That the Clerk of the General Aſſembly carry back the ſaid Accots to the Houſe of Burgeſſes and acquaint them that his Excellcy and the Council have aſſented thereto

A meſſage to the Council from the Houſe of Burgeſſes by Mr *Miles Cary* & others, who brought the Book of Propoſitions [proportions] of the publick Levy to wch the Houſe deſire the Councils concurrence

And alſo preſented an Engroſſed bill from the Burgeſſes Ent *an act for raiſing a publick Levy*, and the ſaid Bill was read the firſt time and ordered a ſecond reading.

The

The Book of proportions was peruſed and aſſented to by the hon^ble Council And then his Excell^cy Signed his Aſſent to y^e ſame

Ordered

That the Clerk of the General Aſſembly return the ſaid Book to y^r Houſe of Burgeſſes and acquaint them that his Excell^cy and the Council have aſſented thereto.

And then the Council adjourned during pleaſure

THE Council being Reſumed

The bill Entituled *An act for raiſing a publick Levy* was read the 2^d time and Ordered a third reading

The Council adjourned during pleaſure

AND being again Mett

The Bill Ent *an Act for raiſing a publick Levy* was read the third time

Reſolved

That the bill do paſs

Ordered

That the Clerk of the Gen^ll Aſſembly carry the ſ^d bill to the Houſe of Burgeſſes and acquaint them that the Council have aſſented thereto

A meſſage from the Houſe of Burgeſſes to his Excell^cy by Mr *Corbin* & others That they were commanded by the Houſe of Burgeſſes to wait on his Excell^cy to acquaint him that the Houſe had prepared an humble Addreſs to his Excell^cy, and deſired to know his pleaſure when they ſhould attend him to preſent the Same.

To which his Excell^cy anſwered they might come preſently

The Houſe of Burgeſſes being come into the Council Chamber the following Addreſs was read and preſented by Mr *Speaker*

To his Excellency Francis Nicholſon *Eſq^r her Majeſtys Lieuten^t and Govern^r Gen^ll of* Virginia

The humble Addreſs of her Matys moſt Loyal and dutifull Subjects the Burgeſſes convened at her Majeſty Queen Anne *her Royal Capitol in her Ma^tys Colony and Dominion of* Virginia

May it pleaſe yor Excellency

The Burgeſſes our Predeceſſors have . . . . . [See J. of H. of B., pp. 80-81.]

Upon wch his Excell^cy was pleaſed to anſwer to this Effect

That as to the Addreſs to her moſt Sacred Majeſty he would take care to have it tranſmitted to her Royal hands, and that he would not fail to let her Majeſty know the circumſtances of this Country both as to the fears & apprehenſions it lyes under, of an Indian enemy, and as to ye trade, wch he could wiſh were in a more flouriſhing condition than he finds it to be by the acco^ts he hath had from *England* & what he found here.

That what he promiſed about the money to be raiſed by the Impoſitions, he would make it his endeavor to performe, & he hoped they were all ſatisfied that the laſt Impoſitions had been carefully applyed to the uſes for wch they were intended.

As to ye Militia he inform'd ye Houſe that he thought it a duty incumbent upon him to have them often muſtered, in order to their being well diſciplined, that being the only force they had for the defence of their Country (and he hoped they would never need any other) but he had every year leſſened that trouble of muſtering, & believed he might reduce it this or next year to the times directed by Law only; yet he hoped they were all ſenſible that that Law gave him power to muſter the militia as oft as he thought fitt, & aſſured them that he had never given them any trouble of that nature but what he found abſolutely neceſſary for her Majeſtys Service

And

And as to that part of the Addreſs wherein they take notice of their & their predeceſſors obligacons to him, his Excellcy acquainted them that it was a great Satisfaction to him to find that what he had done, was ſo well taken by them: and aſſured them that it ſhould be his prayers to God Almighty to enable him to diſcharge his duty to him, and next to her Majeſty, and then to do all the good he can for his Country.

And then ye Council adjourned till tomorrow morning 8 aclock

Friday May the 12th 1704.

Preſent

HIS Excellency, *John Lightfoot, Robert Carter, John Cuſtis, Philip Ludwell, Henry Duke, Robert Quary & John Smith* Eſqrs

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Tully Robinſon* and others who brought the following Reſolves to wch they deſire the Councils concurrence.

Wednesday May the 3d 1704

By the Houſe of Burgeſſes

Reſolved

That the Overſeer appointed to overſee the building of the Capitol hath miſtaken the directions of the Houſe, and therefore

Ordered

That he cauſe the partitions on the ſecond floor over the Room where the Burgeſſes Sitt to be pulled down, and that he purſue the former Reſolves of the Houſe concerning ye ſame.

Munday May the 8th 1704

A petition of Mr *Henry Cary* was read wherein he prays he may have the three Negro Slaves bought for the uſe of the Country at the price they coſt

Reſolved

That Mr *Henry Cary* may have the ſaid three Negro Slaves after the Capitol is finiſhed at the price they coſt the Country

Thurſday May the 11th 1704

Ordered

That the ſeveral ſums of money mentioned in the two books of Claimes wch have paſſed this Seſſion be paid out of the Impoſition ffunds to the ſeveral perſons concerned therein, and that his Excellcy the Governr be deſired to iſſue his warrant to Colo *Robert Carter* the late Treaſurer to pay the ſame accordingly

Wm *Randolph* Junr Cl: Ho Bur

And the ſaid Reſolves were ſeverally read & aſſented to by the Council

And then his Excellcy was pleaſed to ſign his aſſent to ye ſame

Mr *Tully Robinſon* and others from the Houſe of Burgeſſes alſo preſented to ye Council an ordinance of Aſſembly impowering Mr *Henry Cary* to make Sale of the Country houſes in the City of *Williamſburgh*, to wch they deſire their Honrs concurrence

And the ſaid Ordinance was thrice read, and aſſented to by the Council

Ordered

That the Clerk of the Genll Aſſembly carry back the ſd Ordinance to ye Houſe of Burgeſſes and acquaint them that ye Council have aſſented thereunto

Ordered

That the Clerk of the Genll Aſſembly carry back to the Houſe of Burgeſſes the Reſolves & orders this day ſent up by them for concurrence, and acquaint them that his Excellcy and the Council have aſſented to ye ſame

A meſſage from the Burgeſſes to the Council by Mr *Miles Cary* & others who brought the Inrolled Bills paſt this Seſſion, and acquainted their Honrs that the Houſe had examined them & that they agreed with the Original engroſſed Bills.

And the ſaid Bills were peruſed by the Council, and

Ordered

Ordered, that the Clerk of the Gen[ll] Aſſembly return the ſame to the Houſe of Burgeſſes

Ordered

That the Clerk of the Gen[ll] Aſſembly go to the Houſe of Burgeſſes, and acquaint them that his Excell[cy] commands their immediate attendance on him in the Council Chamber, and that they bring with them what Bills they have prepared for his Aſſent.

And accordingly the Houſe being come to attend his Excell[cy] M[r] *Speaker* addreſſed himſelf to his Excell[cy] to this effect

May it pleaſe yo[r] Excellency

In obedience to yo[r] Excell[cys] commands, We her Matys Loyal and dutifull ſubjects the Houſe of Burgeſſes are come to attend yo[r] Excell[cy] and have brought with us ſeveral bills and Ordinances agreed upon by the hon[ble] Council & our ſelves, to w[ch] we humbly pray yo[r] Excell[cys] aſſent. We have alſo brought an humble Addreſs to her moſt ſacred Majeſty to receive the benefite of yo[r] Excell[cys] promiſed favour in getting it preſented to her Royal hands

Then the Titles of the ſaid Bills were read by M[r] *Speaker*, and are as followeth

An Act for dividing Sittenburn *pariſh*

An Act for dividing S[t] Peters *pariſh in* New Kent *County*

An Act Reviving the Act for the better improving the breed of horſes & for reſtraining unruly horſes

An Act for repealing the 2[d] Act of Aſſembly made in the year 1664 Entituled an act for the ffrontiers to be ſeated with four able hands

An Act for reſtraining Indians hunting and ranging upon patented lands

An Act for taxing and aſcertaining the Size of Tobacco hogſheads

An Act for reviving the Impoſitions on Liquors, Servants and Slaves for one year & no longer

An Act appointing a Treaſurer

An Act for removing Criminals from the Goals of the Countys where they ſhal be apprehended to the publick Goal at Williamſburgh

An Act for allowing a greater number of publick Ordinarys

An Act for raiſing a publick Levy

Alſo .

An ordinance of Aſſembly for defence of the Country in times of danger

and

An Ordinance impowering M[r] *Henry Cary* to make ſale of the Country Houſes in the City of *Williamſburgh*

All which Acts & Ordinances were Signed by his Excell[cy] and the Speaker

And then his Excellency was pleaſed to expreſs himſelf to this Effect,

That he had according to the power Veſted in him by her Matys Commiſſion given that Sanction to the Acts paſt this Seſſion w[ch] remained to make them compleat; but recommended to the Gentlemen of the Houſe of Burgeſſes in their reſpective Countys to take care that thoſe Laws be put in execution, for without that all their Labour, & the charge the Country had been at, in making them would be vain & ineffectual.

And then made diverſe obſervations on the Several Acts that had been paſt In particular, that ſince this Aſſembly have repealed the act about the ffrontiers he recommended to ſuch of the Houſe of Burgeſſes as were officers of the Militia to be diligent in the training thoſe under their commands & taking care that they be provided with arms & Ammunicon according to Law for their neceſſary defence.

As to their Requeſt of tranſmitting the Addreſs to her Majeſty, his Excell[cy] acquainted the Houſe that he was obliged in duty to do it, and would as he had promiſed them before, repreſent to her Majeſty the true State of this Country, and hoped that ſince they had ſo good & gracious a Queen, who ſtudied ſo much the happineſs of all her Subjects, they of this her moſt ancient & great Colony, had no reaſon to doubt of her Majeſtys gracious Care of them.

That

That he now thankd God this Seſſion was come to a good Concluſion, and hop'd their proceedings had been anſwerable to the intent of the Writt by wch they were called, that he did not intend to give them the trouble of meeting again till next *October*, nor then neither unleſs he received particular commands from *England* for ſo doing.

That he thank'd them for their addreſs to himſelf, and in anſwer thereto could only repeal [t] to them what he had ſaid on former occaſions that he would always endeavour to promote the good of the Country, and that whenever he ceaſed in his endeavors for her Matys ſervice, and to do all the good in his power for *Virginia*, he might ceaſe to be a man.

And laſtly his Excellcy acquainted them that he had thought fitt to prorogue them till the Eighteenth day of *October* next, and that accordingly they were prorogued.

Vera Copia Teſt. Wil Robertſon Cl Genl Aſſembly

AT A

GENERAL ASSEMBLY

Summoned to meet at her Majeſtys Royal College of *William* & *Mary* adjoining to the City of *Williamſburgh* the 17th and begun the 19th of *March* 1702 in the 2d year of the Reign of our Sovereign Lady *Anne* by the grace of God of *England*, *Scotland France* and *Ireland* Queen Defender of the faith &c, and thence by ſeveral prorogations continued and held at her Majties Royal Capitol the 18th day of *April* MDCCV in the IVth year of her Majties Reign.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1412, pp. 561-604.]

At a General Affembly Summoned to meet at her Majeftys Royal College of *William* & *Mary* adjoining to the City of *Williamfburgh* the 17th and begun the 19th of *March* 1702 in the 2d year of the Reign of our Sovereign Lady *Anne* by the grace of God of *England, Scotland France* and *Ireland* Queen Defender of the faith &c, and thence by feveral prorogations continued and held at her Majties Royal Capitol the 18th day of *April* MDCCV in the IVth year of her Majties Reign.

[*April* 18th, 1705.]

Prefent

HIS Excellcy *Francis Nicholfon* Efqr &c, *John Lightfoot, Robert Carter, John Cuftis, Philip Ludwell, William Baffett, Henry Duke, John Smith, John Lewis* Efqrs

A Petition of *Jofeph Chermefon*, and

A petition of *Jean de Jarnal, Gabriel Maupin, Jean Delaune, Jne James Veillon*, & *John Guy Rey* praying for Naturalizacon, were read &

Referred to ye Confideracon of the Houfe of Burgeffes.

A meffage to his Excy from ye Burgs by Mr *Wm Robinfon* & others defiring his Excy to iffue a New writt for a Burgs to ferve in this Affembly for *Richmd* Co'ty in room of Mr *D. Gwyn* decd The Council adjourn'd till to morrow morning 9 aclock.

Thurfday April 19th 1705

Prefent

HIS Excellency, *Jne Lightfoot, Robert Carter, Jne Cuftis, Philip Ludwell, William Baffett, Henry Duke* and *Jne Lewis* Efqrs

Ordered

That the Clerk of the Genll Affembly go to the Houfe of Burgeffes & acquaint them that his Excellcy commands their immediate attendance on him in ye Council Chamber

The Houfe attending, His Excellcy was pleafed to make the following Speech wch he afterwards delivered to Mr *Speaker*.

Honble Gentlemen

God Almighty having . . . . . [See J. of H. of B., 1702/3-1712, pp. 87-88.]

Then the Council adjourned till tomorrow morning 9 aclock

Friday April the 20th 1705

Prefent

ROBERT CARTER, *Philip Ludwell, Wm Baffett, Henry Duke, Jne Smith, John Lewis* Efqrs

The Council mett and adjourned till to morrow morning 9 aclock

Saturday

Saturday April 21ſt 1705

Preſent

HIS Excellency, *Jn°* *Lightfoot*, *Robert Carter*, *Jn°* *Cuſtis*, *Philip Ludwell*, *William Baſſet*, *Henry Duke* and *Jn°* *Lewis* Eſq^rs

A petition of *Jn°* *Creekmore* *Edmund Creekmore* *Edwd* *Creekmore* & *Henry Dale* being read, repreſenting that the Officers of *North Carolina* Governm^t have made Diſtreſs for the Q^rents of the Lands poſſeſt by them lying in *Norfolk* County & held by vertue of a patent from his late Excell^cy Sr *Edm^d* *Andros*

Reſolved

That the ſaid petiᶜon be ſent to ye Houſe of Burgeſſes to whom ye Council recommend to take into conſideraᶜon the moſt effectual method for protecting the Inhabitants of this Colony that have patented Lands on y^e Confines of *North Carolina*.

Ordered

That a copy of part of a lett^r from the R^t hon^ble the Lords Comm^rs for trade & plantaᶜons of the 4th *Jan^ry* $1\frac{699}{700}$ relating to the Boundarys between this Governm^t & *Carolina* be ſent to the Houſe of Burgeſſes for their conſideration.

Ordered

That the Clerk of the Gen^ll Aſſembly carry to the Houſe of Burgeſſes the following meſſage in writing

By his Excellcy & the hon^ble Council

Mr Speaker *& Gent of the houſe of Burgeſſes*

His Excell^cy having . . . . . [See J. of H. of B., p. 91.]

His Excell^cy abſent

A meſſage from the Burgeſſes to ye Council by M^r *W^m* *Randolph* & others that they were commanded by the Houſe to deſire a Conference with their Hon^rs concerning the moſt proper methods for ſecuring the peace of the Country ag^t ye Indians

His Excell^cy preſent

A meſſage from the Burgeſſes to his Excell^cy by Mr *Miles Cary* & others who brought to his Ex^cy the following Reſolve *viz*

April 20th 1705

By the Houſe of Burgeſſes.

Reſolved nemine contradicente

That this Houſe doth heartily concur with his Excell^cy that *Munday* next being the 23^d day of this moneth be kept by the Gen^ll Aſſembly as a publick day of thankſgiving to Almighty God for the cauſes mentioned in his Excell^cy^s ſpeech.

Reſolved

That the Council do agree to the Conference deſired by the Houſe of Burgeſſes concerning the moſt proper method for ſecuring the peace of the Country ag^t the Indians; and *Robert Carter*, *Jn°* *Cuſtis* & *Philip Ludwell* Eſq^rs were appointed to manage y^e ſ^d Conference.

Ordered

That ye Clerk of the Gen^ll Aſſembly go to the Houſe of Burgeſſes and acquaint them that ye Council have appointed three of their members to meet ſuch a number of the Burgeſſes as the Houſe ſhal appoint concerning ye moſt proper method for ſecuring the peace of the Country ag^t ye Indians, and that y^e ſ^d Conferrees will be ready in the Conference Room on *tueſday* next at ten a clock in the forenoon.

Reſolved

That the Council do concur with his Excell^cy that *Munday* next be kept by the Gen^ll Aſſembly as a publick day of Thankſgiving to Almighty God for the cauſes mentioned in his Excell^cy^s Speech

Then ye Council adjourned till *tueſday* morning 9 aclock.

Tueſday

Tuesday April 24th 1704 [1705]

Present

HIS Excellency, *Jn° Lightfoot, Robt Carter, Jn° Custis, Philip Ludwell, Wm Bassett, Jn° Lewis* Esq^rs

A Letter from one *James Wood* to Capt *George Braxton* of *King & Queen* County giving an Acco^t of a Robbery committed by Indians in ye Upper parts of that County read &

Referred to the consideracon of ye House of Burgesses

A petition of Coll° *James Taylor* for Leave to go upon a discovery on the back parts of *King & Queen* County Read &

Refer'd to ye consideration of the House of Burgesses.

His Excellency was pleased to deliver to the Gentlemen appointed to manage the Conference with the Burgesses concerning ye Indians, a Memorandum concerning the care that hath been taken to ransom y^e *Nattoway* King.

A Letter from his Excell^cy Coll° *Seymour* Govr of *Maryland* concerning ye Indians Read &

Referred to ye consideracon of the House of Burgesses

His Excell^cy absent

A message from the Burgesses to the Council by Mr *Benj^a Harrison* & others that they were commanded by the House to acquaint their Hon^rs that in pursuance to their Hon^rs agreem^t to the Conference desired by the Burgesses, they had appointed some of their members to attend the members of the Council appointed to manage that Conference.

Then ye Managers for the Council went to the Conference.

Jn° Smith Esqr present

The Council adjourn'd till to morrow morning 9 aclock

Wednesday April ye 25th 1705

Present

HIS Excellency, *Jn° Lightfoot, Henry Duke, Jn° Smith, Jn° Lewis* Esq^rs

A peticon of *Cha^r Robinson, John Robinson* & *Harry Beverley* Feofees in trust for ye Town Land in *Middlesex* County praying to be heard before the Gen^ll Assembly touching the Building of a Court house for ye said County on ye Town land &c Read &

Referred to the consideration of the House of Burgesses.

The Grievances of the ffreeholders of *Middlesex* County

The Grievance of *New Kent* County

The Grievances of *King & Queen* County

The Grievances of *King William* County were severally read &

Referred to ye consideration of the House of Burgesses

A propositon from *York* County, & peticon of diverse Merchants & others for Leave to ship off Tobacco in hogsheads made & packd before ye late Act for taring & ascertaining the Size of Tobacco hh^ds, and

A peticon of the Inhabitants of the Upp^r parts of *St Stephens* parish in *King & Queen* County praying a Division of ye said parish,

Were severally read & Refer'd to ye consideration of the House of Burgesses

The several peticons and Claimes of *James Moss* Gent Sherif of *New Kent Robt Bird* Gent. Sherif of *King & Queen*, & *Richd Covington* Gent Sherif of *Essex* for allowance of their charges &c for Conveying the *Nanjiatico* Indians prisoners through ye fd Countys, Read &

Referred to ye consideracon of the House of Burgesses

A peticon of *Jn° Redwood* praying that he may be p^d in money for the diet of the *Nanjiatico* Indians, and also

A petiĉon of the ſd *Jn° Redwood* praying allowance of his Sallary as Keeper of the publick priſon, and

A petiĉon of *Wm Chaplyn* praying Allowance of his Sallary were Severally read & Referred to ye conſideraĉon of the Houſe of Burgeſſes

Ordered

That the Clerk of the Gen^ll Aſſembly carry to the Houſe of Burgeſſes the following Meſſage in writing from his Excell^cy & the Council

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

His Excell^cy and the Council having . . . . . [See J. of H. of B., pp. 93-4.]

Ordered

That the Clerk of the Gen^ll Aſſembly carry the following meſſage in writing from his Excell^cy to the Houſe of Burgeſſes

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes.*

In my progreſs . . . . . [See J. of H. of B., pp. 95-6.]

Robt Carter Jn° Cuſtis & Ph: Ludwell Eſq^rs preſent

The anſwer of the Court of *Middleſex* County to the petiĉon of ye ffeofees in truſt for the Town Land in *Middx* County & order of Council thereon, was read & Referred to ye conſideracon of the Houſe of Burgeſſes

And then ye Council adjourned till tomorrow morning ten aclock

---

Thurſday April 26th 1705

Preſent

JOHN LIGHTFOOT, *Robert Carter, John Cuſtis, Philip Ludwell, Henry Duke, John Smith* and *John Lewis* Eſq^rs

Coll° *Carter* from the Conference with the Burgeſſes concerning ye moſt proper method for ſecuring the peace of the Country ag^t the Indians. Reported that the Conferrees had come to ſeveral Reſolutions therein wch he read in his place and afterwards deliver'd in at the Table, & are as follow *viz*

That the old Indian Man named *Madox Will*, and the woman named *Betty* be ſet at liberty. That the other men, the Youths about 12 years old & the women named *Sarah* & *Monaſta* be tranſported to ſome of the Iſlands & there ſold to be ſervants for Seven years, and afterwards to be free, with a proviſo that they ſhal never return to this Governm^t on pain of forfeiting their Lives.

That the other women & the Girles about 12 years old be ſent to the Eaſtern ſhore & bound to be ſerv^ts for ſeven years, afterwards to be free in that place with a proviſo that if ever they are found out of the Countys of *Accomack & Northampton* (without Licence) they ſhal forfeit their Lives

That ye children under twelve years be bound out amongſt y^e *Engliſh* here to be Servants till they are twenty four years old.

That the bounds for the *Nottoway* Indians land be laid out for them as followeth *Viz* a Circle three miles round their Fort where they now live, and another parcel of Land on the Southſide of *Nottoway* River Six miles Square, that is to ſay begining upon the River and the Lower end of *Waricake* old fields, and runing three miles up the River, and three miles down, and ſix miles backwards into the woods upon Right Angles with ye Main Courſe of the River in that Six miles.

That the bounds of the *Maherin* Indians lands be laid out as followeth *viz* a ſtreight Line ſhal be run up the middle of the neck between *Maherin* River & *Nattoway* River from ye mouth of y^e ſ^d Rivers ſo far as will include between that Line & *Maherin* River ſo much Land as will be equal in quantity to a Circle of three miles round their Town.

That proviſion be made that when any *Engliſhman* ſhal do any Injury to an Indian, upon Complaint made to ye next Magiſtrate he ſhal ſend a warrant for the perſon complained ag^t and if he finds the matter within his Cognizance he ſhal do ye Indian y^e ſame

ſame right that ſhould be done to an *Engliſhman*; and if the matter is not within the Cogniſance of one Juſtice and he ſees juſt cauſe, he ſhal bind the offender over to the next County Court, who ſhal proceed thereupon & give y^e^ ſame redreſs to ye Indian that an *Engliſhman* could obtain upon regular proceſs.

That proviſion be made that the late Act prohibiting Indians hunting upon patented Lands may not be extended to the *Pamunkey* Indians.

And ye f^d^ Coll^o^ *Carter* alſo Reported that upon conſideracõn of ſev^ll^ Lett^rs^ & papers relating to the Indians on the head of *Potomack* River & in *Maryld* the Conferrees were of opinion that they were moſt proper to be conſidered by the Burgeſſes in their Houſe.

A Petition of Mr *Chicheley Corbin Thacker* praying allowance of his acco^t^ for binding a Record Book belonging to ye Sec^rys^ office,

A petiõn of the f^d^ Mr *Chicheley Corbin Thacker* in behalf of Mr Sec^ry^ *Jenings* praying allowance for ſev^ll^ military Commiſſions iſſued out of the Secrys office

A petiõn of Mr *Charles Chiſwell* praying allowance for publick Services as Clerk of the Secretarys office

A petiõn of *Thomas Wynne* Interp^r^ of y^e^ *Nottoway Maherine* & *Nanſem^d^* Indians, and

A peticon of *James Adams* Interp^r^ to the *Pamunky* & *Chicahominy* Indians praying allowance for their Sallarys

Were Severally read & Referred to ye conſideracõn of ye Houſe of Burgeſſes

And then ye Council adjourned till to morrow morning 9 aclock

---

Friday April ye 27th 1705

Preſent

HIS Excellency, *Jno Lightfoot*, *Robt Carter*, *Jno Cuſtis*, *Philip Ludwell*, *Henry Duke*, *Jno Smith* and *Jno Lewis* Eſq^rs^

His Excellency laying before the Council a Reſolve of the Houſe of Burgeſſes preſented to him laſt night by M^r^ *Wm Randolph* & others in the following words *viz*

Thurſday April 26th 1705

By ye Houſe of Burgeſſes

Reſolved

That her Matys ſhip the *Strombulo* Capt *Matthew Teate* Com^der^ is not a Sufficient Convoy for the Ships now in the Country. and therefore that it is not either for her Matys Service or the Countrys intereſt that ye f^d^ Ships ſhould ſail with her.

Reſolved

That the Council do agree with the Houſe of Burgeſſes that her Matys ſhip *Strombulo* is not a ſufficient Convoy for ye Ships now in the Country, & that it is not for her Matys Service or the Countrys intereſt that y^e^ ſaid ſhips ſhould ſail under her Convoy.

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry the following meſſage in writing from his Excell^cy^ to ye Houſe of Burgeſſes

Mr Speaker & Gentlemen of the Houſe of Burgeſſes

I have received . . . . . [See J. of H. of B., p. 97.]

The Council adjourned till tomorrow morning 9 aclock

Saturday April 28th 1705

Preſent

JOHN LIGHTFOOT, *Jno Cuſtis* & *Philip Ludwell* Eſq^rs^

The Council meit, and Adjourned till *Munday* at one aclock in ye afternoon

Monday

Monday April 30th 1705

Preſent

JOHN LIGHTFOOT, *Rob*t *Carter, John Cuſtis, Philip Ludwell, William Baſſett, Henry Duke, Jn*o *Smith, Jn*o *Lewis* Eſqrs

The Council mett and adjourned till to morrow morning 9 aclock

---

Tueſday May the 1ſt 1705

Preſent

HIS Excellencie, *Jn*o *Lightfoot, Rob*t *Carter, Jn*o *Cuſtis, Philip Ludwell, Will*m *Baſſett, Henry Duke, Jn*o *Smith, Jn*o *Lewis* Eſqrs

Ordered

That the Clerk of the Genl Aſſembly go to the Houſe of Burgeſſes and acquaint them that his Excellency commands their immediate attendance on him in the Council Chamber

Abſent *John Lightfoot, Rob*t *Carter, Philip Ludwell* and *William Baſſett* Eſqrs

The Houſe of Burgeſſes attending, His Excellcy was pleaſed to make the following Speech

*M*r Speaker *& Gentlemen of the Houſe of Burgeſſes.*

I am heartily ſorry . . . . [See J. of H. of B., pp. 101-102.]

A meſſage to his Excellcy from ye Burgeſſes by Mr *Corbin* & others that they were Comded to wait on his Excy & to deſire him to iſſue a New Writt for ye election of a Burgeſs to ſerve in this Aſſembly for *Elizabeth City* County in ye room of *Anth*o *Armiſtead* Gent deceaſed

The Council adjourned till to morrow morning 9 aclock.

Wedneſday May 2d 1705

Preſent

HIS Excellencie, *John Lightfoot, Jn*o *Cuſtis, John Smith, Jn*o *Lewis* Eſqrs

The petiĉon of *James Minge* praying allowance for drawing & calculating eight large Dyals for the Capitol, and

a petiĉon of *Jn*o *Francis Decopet* praying for Naturalizaĉon

Were Severally Read & Refer'd to ye conſideraĉon of the Houſe of Burgeſſes

And then ye Council adjourned till to morrow morning 9 aclock.

Thurſday May the 3d 1705

Preſent

HIS Excellency, *John Lightfoot, Robert Carter, Jn*o *Cuſtis, Philip Ludwell, W*m *Baſſett, Henry Duke, Jn*o *Smith, Jn*o *Lewis* Eſqrs

Ordered

That the Clerk of the General Aſſembly carry the following meſſage in writing from his Excellcy & the Council to the Houſe of Burgeſſes

*M*r Speaker *& Gentlemen of the Houſe of Burgeſſes*

His Excellcy having received . . . . . [See J. of H. of B., p. 106.]

The petiĉon of Coll*o* *James Taylor* in behalf of ſevll of the Inhabitants of *King & Queen* County relating to ye clearing *Mattapony* River & making it Navigable

Read & Referred to ye conſideration of the houſe of Burgeſſes

The Return of Major *Allen* to an ordr of Council for laying out the dividing Lines between *Surry, Iſle of Wight, Nanſemond & Prince George* Countys read and Referr'd to ye conſideraĉon of the Houſe of Burgeſſes

Then the Council adjourned till tomorrow morning 9 aclock

Friday

Friday May 4th 1705

Preſent

Jn° LIGHTFOOT, Robert Carter, Jn° Cuſtis, Philip Ludwell, W^m Baſſet, Henry Duke, Jn° Smith, Jn° Lewis Eſq^rs

The Council mett and adjourned till tomorrow morning 9 aclock

---

Saturday May 5th 1705

Preſent

HIS Excellencie, *Jn° Lightfoot, Robt Carter, Jn° Cuſtis, Philip Ludwell, W^m Baſſet, Henry Duke, Jn° Smith, Jn° Lewis* Eſq^rs

The Council adjourned till *Munday* at one aclock afternoon

Munday May 7th 1705

Preſent

Jn° LIGHTFOOT, R Carter, Jn° Cuſtis, Philip Ludwell & Jn° Smith Eſq^rs

A meſſage from the Houſe of Burgeſſes to ye Council by M^r *Joſeph ffoſter* & others who brought the following Bills *viz*

A bill Entituled *An Act concerning the* Nanſiatico *& other Indians.*

A Bill Entituled *An Act for ſettling and aſcertaining the current Rates of forreign Coins in this Dominion,* &

A Bill Ent *an act permitting the exporting and diſpoſing of Tobacco pack'd in old Cask.*

To wch they deſire the concurrence of the Council

An Engroſſed bill from the Burgeſſes Entituled *An Act concerning the* Nanſiatico *and other Indians,* read the firſt time, &

Ordered to be read a 2^d time

An Engroſſed bill from the Burgeſſes Ent *an Act for ſettling & aſcertaining ye Current rates of forreign Coins in this Dominion*

Read the firſt time & Ordered a 2^d reading

An Engroſſed bill from the Burgeſſes Ent *An Act permitting the exporting & diſpoſing of Tobacco pack'd in old Cask* read the firſt time &

Ordered a 2^d reading

Jn° Lewis Eſq^r preſent

And then the Council adjourned till to morrow morning 10 aclock.

Tueſday May 8th 1705

Preſent

HIS Excellency, *John Cuſtis, Philip Ludwell, Jn° Smith, John Lewis* Eſq^rs

Ordered

That the Clk of the Gen^ll Aſſembly carry the following meſſage from his Excell^cy to the Houſe of Burgeſſes

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

I recommend to you . . . . . [See J. of H. of B., p. 109.]

The acco^t of the Charges of the *Nottoway Maherin & Pamunky* Indians due to *Jn° Redwood* read &

Refer'd to the conſideracõn of the Houſe of Burgeſſes

Edward Roſs's Claim for ferrying over *James* River twenty nine Indians

Read & Ref^d to ye conſideracõn of the Houſe of Burgeſſes.

preſent *John Lightfoot, Robert Carter, W^m Baſſet & Henry Duke* Eſq^rs

A Bill Entituled *an Act concerning the* Nanſiatico *& other Indians* read ye 2^d time & Committed for amendments to *Robt Carter Jn° Cuſtis, Jn° Smith & Jn° Lewis* Eſq^rs

A Bill Ent *an Act permitting the exporting & disposing of Tobacco packd in old Cask* read the 2d time & committed for amendments to *Jno Lightfoot, Philip Ludwell, Wm Baffet & Henry Duke* Esqrs

And then the Council adjourned till afternoon

But before they had withdrawn

His Excellency laid before the Council several Resolves of the House of Burgesses presented to him yesterday by Colo *Gawin Corbin* & others as an answer to his Excellcys Speech on the 1st *instant*, and ordered them to be entered here, which Resolves are as follows

Friday May ye 4th 1705

By the House of Burgesses

Resolved that it the opinion of this House

That his Excellency the present Governor has a great respect for the welfare & prosperity of this Country, and that the better part of her Majestys good & loyal Subjects here are not of ye same Sentiments with that part of the Council wch have accused his Excellcy of Mal-administration

Saturday May 5th 1705

Resolved

That the publick peace & tranquility of the Country is under no danger by his Excellcys administracon, and that the far greater part of the Inhabitants are very quiet and well satisfied being in peace and quietness without ye least desire of having his Excellcy removed from being their Governor.

Resolved

That it doth not appear that the people whom this House doth represent have complained agt his Excellcy for any hardships or Mal-administration.

Resolved nemine contradicente & accordingly Ordered

That ye Records belonging to ye Secretarys Office, and the Records of the Assembly Office be removed to the Capitol with all convenient expedition, and that the respective Clerks take care to see the same done.

Resolved

That it no ways appears to this House that his Excellcy hath any design to introduce any arbitrary power by a Military Force of the fifth men or any other way, or that he hath endeavoured to invade the Libertys and propertys of her Matys Subjects here.

Resolved

That his Excellcy doth still merit the worthy character wch hath been heretofore given him by the House in several Addresses

Resolved

That whoever pretends to take upon himself to represent the Country in general under any Grievance or pressure without the consent & authority of this House so to do, is thereby guilty of an unwarrantable Act tending to the prejudice of the Country

Wm Randolph Junr Cl Ho Burgs

Then his Excellcy desired Collo *Baffet* to declare his reasons for his absence when his Excellcy made his Speech on the 1st *instant*, because it might be made use of as if he was a party with the other Gentlemen that have complain'd.

And Collo *Baffet* thereupon Declared that the reason of his withdrawing was because he would no way be concerned in the difference depending in *Engld* between his Excellcy and the Gentlemen of the Council that have complain'd agt him.

Post Meridiem

Present as before

COLLO *Lightfoot* from the Comtee appointed to prepare amendmts to the Bill Ent *an Act permitting the exporting and disposing of Tobacco packd in old Cask* Reported the amendmts made by them to the sd Bill, wch were read & agreed to and

Ordered that ye said Bill with the amendmts be read a 3d time

Collo

Coll° *Lightfoot* from the Com^tee to whom it was referred to prepare amendm^ts to the Bill Ent *an Act for fettling and afcertaining the current rates of Forreign Coins in this Dominion*, Reported the amendm^ts made by them to the ſaid Bill wch were read & agreed to, &

Ordered that the ſaid Bill with the amendm^ts be read a 3^d time

Coll° *Carter* from the Com^tee to whom it was referred to prepare amendm^ts to the Bill Ent *an Act concerning the* Nanſiatico *& other Indians* Reported the amendm^ts made by them to ye f^d Bill, wch were read & agreed to, and

Ordered that ye f^d Bill with ye amendm^ts be read a 3^d time

And then ye Council adjourned till tomorrow morning 9 aclock.

Wedneſday May 9th 1705

Preſent

ROBERT CARTER, *Jn°* *Cuſtis*, *Philip Ludwell*, *W^m Baſſett*, *Henry Duke*, *John Smith* and *Jn° Lewis* Eſq^rs

A Bill Ent *An Act concerning the* Nanſiatico *& other Indians* read the 3^d time with the amendm^ts

Reſolved

That the Bill with the amendments do paſs

John Lightfoot Eſq^r preſent

A bill Ent *an Act for ſettling and aſcertaining the current rates of forreign Coins in this Dominion* was read the 3^d time with ye amendm^ts

Reſolved

That the Bill with the amendments do paſs.

A Bill Entituled *An Act permitting the exporting & diſpoſing of tobacco packd in old Cask* was read the 3^d time with the amendm^ts

Reſolved

That the Bill with the amendments do paſs.

Ordered

That the Clerk of the Gen^ll Aſſembly carry to the Houſe of Burgeſſes The Bill Ent *an Act concerning the* Nanſiatico *& other Indians*. The Bill Ent *an Act for ſettling & aſcertaining the current rates of forreign Coins in this Dominion*, and the Bill permitting the Exporting and diſpoſing of tobacco pack'd in old Cask; and acquaint them that the Council have agreed to the ſaid three Bills with diverſe amendments to wch they deſire the concurrence of the Houſe of Burgeſſes.

W^m Baſſet Eſq^r abſent

A meſſage from the Burgeſſes to ye Council by Mr *Miles Cary* & others who brought the Book of publick Claims paſt by the Houſe of Burgeſſes and deſired the Councils concurrence thereto.

The Council proceeded upon reading the Book of Claims made up this Seſſion and the f^d book being read through

Reſolved

That y^e ſaid Book of Claims do paſs

Ordered

That the Clerk of the Gen^ll Aſſembly endorſe thereon the f^d Book of Claims that y^e ſame is aſſented to by the Council.

A meſſage from the Burgeſſes to ye Council by Mr *Benj^a Harriſon* & others that the Houſe had read the amendments made by their Hon^rs to the Bill Entituled *an Act for ſettling & aſcertaining the current rates of forreign Coins in this Dominion*, & had agreed to all the amendm^ts except ye laſt, and deſire a Conference on the Subject matter of ye f^d amendment

Reſolved

That the Council do agree to an immediate Conference with the Burgeſſes on the Subject matter of the ſaid amendm^t, and *Robt Carter Jn° Cuſtis* and *Philip Ludwell* Eſq^rs were appointed to mannage the f^d Conference

Ordered

Ordered

That the Clk of the Gen[ll] Aſſembly go to the Houſe of Burgeſſes & acquaint them that the Council agree to y[e] Conference deſired by them on the ſubject matter of the amendm[t] made to the Bill Ent *an Act for ſettling & aſcertaining the current rates of forreign Coins in this Dominion*, and have appointed three of their members to manage the ſ[d] Conference with ſuch a number of the Burgeſſes as the Houſe ſhal think fitt, and that y[e] managers for the Council are now ready in the Conference Room.

And then the managers went to the Conference

And being returned *Rob[t] Carter* Eſq[r] Reported that the managers for the Council had mett thoſe of the Burgeſſes and the Burgeſſes had offerred their reaſons for diſagreeing to the amendment to the Bill for ſettling & aſcertaining the current rates of forreign Coins in this Dominion, and the Council had alſo offered their reaſons for adhering to the ſ[d] amendment

A meſſage from the Burgeſſes to y[e] Council by M[r] *Tully Robinſon* & others that y[e] Houſe of Burg[s] had taken into conſideracõn their Hon[rs] amendments to the Bill Entituled *an Act concerning y[e]* Nanſiatico *& other Indians*, & had agreed to part, & ſome part they could not agree to, & therefore deſired a Conference with their Hon[rs] on the ſaid amendment

Reſolved

That the Council do agree to the Conference deſired by the Burgeſſes on the Subject matter of their amendm[ts] to the Bill Ent *an Act concerning y[e]* Nanſiatico *& other Indians*, and

Ordered

That the Gentlemen who managed y[e] Conference on the amendm[ts] to the Bill for ſettling & aſcertaining y[e] Current rates of forreign Coins in this Dominion be appointed managers in this Conference.

Ordered

That the Clerk of the Gen[ll] Aſſembly go to the Houſe of Burgeſſes, and acquaint them that the Council agree to the Conference deſired by the Houſe on the Subject matter of the amendments made by the Council to the bill Ent *an Act concerning y[e]* Nanſiatico *& other Indians*, and have appointed three of their members to manage y[e] ſ[d] Conference with ſuch a number of the Burgeſſes as the Houſe ſhal think fit & that the managers for the Council are now ready in the Conference Room

Then the Managers went to the Conference

And being returned *Rob[t] Carter* Eſq[r] Reported that the managers appointed by the Council had mett thoſe from the Burgeſſes on the amendm[ts] to the Bill concerning the *Nanſiatico* & other Indians; and that the matter inſiſted on by the Burgeſſes was for expunging that amendm[t] whereby *Madox Will* & the old Indian woman *Betty* were declared free, and gave ſeveral reaſons ag[t] that amendment

Upon conſideracõn of the reaſons offerred by the Burgeſſes at the Conference and now Reported by the managers for the Council for expunging that amendm[t] made by their Hon[rs] to ye bill concerning y[e] *Nanſiatico* & other Indians, wch excepts the old Indian man named *Madox Will* & the woman named *Betty* from tranſportacõn & declares them to be ſett at liberty

Ordered

That the Clerk of the Gen[ll] Aſſembly acquaint the Houſe of Burgeſſes that the Council are willing to recede from that amendment.

A meſſage from the Burgeſſes to the Council by M[r] *Edwd Hill* & others who acquainted their Hon[rs] that the Houſe had agreed to y[e] amendm[ts] made by the Council to the Bill Entituled *an Act for ſettling & aſcertaining y[e] curr[t] rates of forreign Coin in this Dominion*, and alſo to the amendm[ts] to the Bill Ent *an Act permitting the exporting & diſpoſing of tobacco packd in old Cask*, and had inſerted them therein.

And

And the ſaid Bills & amendm^{ts} being examined

Ordered

That the Clerk of the General Aſſembly return y^{e} ſ^{d} Bills to the Houſe of Burgeſſes and acquaint them that the Council have compared the Bills & amendm^{ts}, and are Satisfyed that the amendments are truly inſerted.

The Council adjourned till tomorrow 10 aclock in the forenoon

---

Thurſday May 10th 1705

Preſent

JOHN LIGHTFOOT, Robt Carter, John Cuſtis, Philip Ludwell, Henry Duke, Jno Smith and *Jno Lewis* Eſq^{rs}

His Excellency having laid before the Council a lett^{r} from Mr *John Croft* giving an Acco^{t} of a Veſſell come in to *Kiquotan* that was chaſed by a Briganteen Suppoſed to be a *French* Privateer near *Smiths* Iſland

Ordered

That y^{e} ſ^{d} Lett^{r} be referred to ye conſideracõn of the houſe of Burgeſſes

Ordered

That the Clerk of the Gen^{ll} Aſſembly carry the following meſſage in writing from his Excell^{cy} to the Houſe of Burgeſſes

Mr Speaker *& Gent of the Houſe of Burgeſſes*

Since I underſtand . . . . . [See J. of H. of B., p. 114.]

Ordered

That the Clk of the Gen^{ll} Aſſembly carry the following meſſage in writing from his Excell^{cy} to the houſe of Burgeſſes.

Mr Speaker *& Gent of ye Houſe of Burgeſſes*

Upon peruſal . . . . . [See J. of H. of B., p. 115.]

Ordered

That the Clerk of the Gen^{ll} Aſſembly carry the following meſſage in writing from his Excell^{cy} to ye Houſe of Burgeſſes

Mr Speaker *& Gentlemen of the houſe of Burg^{s}*

Mr *Treaſurer* having made . . . . . [See J. of H. of B., pp. 115-116.]

Abſent. *Philip Ludwell & Henry Duke* Eſq^{rs}

A meſſage from the Burgeſſes to the Council by M^{r} *Wm Byrd* & others who brought a bill Ent *An act to enable the Court of* King & Queen *County to purchaſe Land to build a Town*, and alſo a Bill Ent *An Act for Naturalizacõn of* Claude Philip De Richebourgh, Francis Ribot John Joanny Peter ffaure James Champagne *& others*, to wch they deſire the Councils concurrence

A Bill Ent *an Act to enable the Court of* King & Queen *County to purchaſe Land to build a Town* read the firſt time &

Ordered a ſecond reading

A Bill Ent *an Act for Naturalizacõn of* Claude Philippe de Richburg Francis Ribot John Joanny Peter Faure & James Champayne *& others* read the firſt time &

Ordered a ſecond Reading

Then the Council adjourned for an hour

THE Council being mett again

A meſſage was brought from the Burgeſſes to the Council by M^{r} *Joſeph ſfoſter* & others who brought the Bill Ent *an Act concerning the* Nanſiatico *& other Indians* and acquainted the Council that the houſe had agreed thereto with the amendments propoſed by the Council & had inſerted them therein

The

The Council having perufed the fd Bill

Refolved

That ye fd Bill as it is amended be agreed to.

Ordered

That the Clerke of the Genll Affembly return ye fd Bill to ye Houfe of Burgeffes, and acquaint them that the Council have perufed ye fame, & are fatisfyed that ye amendmts are rightly inferted.

A motion being made that the bill Ent *an Act to enable the Court of* King & Queen *County to purchafe land to build a Town* & the Bill for Naturalizacon of *Claude Philyppe de Richebourg* &c be now read a 2d time

Refolved

That the fd two Bills (being private Bills) be now read a 2d time

A meffage from the Burgeffes to his Excellcy by Mr *James Wilfon* & others who brought the following anfwer to his Excys meffage concerning the Claim of Capt *Nichs Smith*

May it pleafe yor Excellcy

Upon confideration . . . . . [See J. of H. of B., p. 118.]

Mr *James Wilfon* and others from the Burgeffes prefented to his Excellcy the following anfwer to his Excys meffage concerning the *Nanfiatico* Indians

May it pleafe yor Excellency

Upon confideracon . . . . . [See J. of H. of B., p. 118.]

A Bill Entituled *an Act for Naturalizacon of* Claude Philippe de Richbourg Francis Ribot Peter Faure John Joanny, James Champagne & *others*

Read the 2d time & Committed for amendmts

A Bill Ent *An Act to enable the Court of* King & Queen *County to purchafe Land to build a Town*, Read the 2d time &

Ordered to be read a third time

And then the Council adjourned till to morrow 10 aclock in the forenoon

Friday May 11th 1705

Prefent

HIS Excellencie, *John Lightfoot, Robt Carter, Jno Cuftis, Philip Ludwell, Henry Duke, John Smith* and *John Lewis* Efqrs

Ordered

That the Clerk of the Genll Affembly carry to the Houfe of Burgeffes the following meffage in writing from his Excellency

Mr Speaker & *Gent of the Houfe of Burgeffes*

I have perufed yor Refolves [the Houfe Journal has "Meffage"] . . . . . [See J. of H. of B., p. 119.]

A meffage from the Burgeffes to ye Council by Mr *James Wilfon* & others who brought fevll Refolves to wch they defire the Councils concurrence

Which Refolves being read were agreed to, and are as follows *viz*

Refolved

That the roof of the Capitol & prifon be tarr'd again this Summer as often as the overfeer of the Building fhal think fitt.

That ye Wainfcot & other wooden work on the firft & fecond floor in that part of the Building where the Genll Court is, be painted like marble, & the wainfcot & other wooden work on the two firft floors in the other part of the Building fhal be painted like wainfcot, and the Doors & other wooden work in the roof fhal be painted white, and the Cupulo to be painted in fuch manner as fhal be directed by the Overfeer of ye Building

That there be fix large Sundials painted upon ye Cupulo

That

That twelve hundred foot of flag ſtone to pave the walks that lead to the Capitol be ſent for to *England*.

That the Spring be laid round with the peices of the broken flagg ſtones to keep it from filling up

That there be a privy Houſe build convenient to ye Capitol upon the Hillſide Eight foot wide and ſixteen foot long with a lock upon every door.

That a pair of Stocks pillory & Whipping poſt be built near the Capitol

Ordered

That ye Clerk of the Gen^ll^ Aſſembly return the ſ^d^ Reſolves to the Houſe of Burgeſſes & acq^t^ them that the ſame are aſſented to by his Ex^cy^ & ye Council

A Bill Entituled *an Act to enable the Court of* King & Queen *County to purchaſe Land to build a Town* read ye 3^d^ time, and thereupon

Reſolved

That the Bill do paſs without any amendm^t^

Ordered that the Clerk of the Gen^ll^ Aſſembly carry the ſ^d^ Bill to the houſe of Burgeſſes and acq^t^ them that the Council have agreed thereto without any amendm^t^

A Bill Entituled *an Act for Naturalizacon of* Claude Philippe de Richebourgh Francis Ribot Peter Faure John Joanny James Champagne *& others* being amended in Council, & ye amendments twice read,

The ſ^d^ Bill with the amendm^ts^ was read ye 3^d^ time

Reſolved

That the Bill with ye amendm^ts^ do paſs

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry y^e^ ſ^d^ Bill to the houſe of Burgeſſes and acquaint them that ye Council have agreed thereto with ſome amendments to wch they deſire the concurrence of that Houſe.

A meſſage from the Burgeſſes to the Council by Mr *Rice Hoe* & others who brought ſome Reſolves of the Houſe to wch they deſire their Hon^rs^ concurrence

Which Reſolves were read and agreed to, & are as follow

Reſolved

That *Thomas Whitby* be paid according to his petiĉon

Reſolved

That it is the opinion of this Clauſe [Houſe] that *Jno Martin* have the Indians now in priſon to tranſport upon the terms laid down in his petition if he will oblige himſelf to return a Certificate under the hand of the Govern^r^ of the place, to wch he tranſports them that he hath ſold them according to the time Limited in the act of Aſſembly.

Reſolved

That the Goal Keeper ſhal charge no more for keeping the Indians in his cuſtody till they are carryed off than after the rate heretofore allowed.

Then his Ex^cy^ was pleaſed to ſign his aſſent to the ſ^d^ Reſolves.

The ſaid Mr *Hoe* brought the Bill Entituled *an Act for Naturalization of* Claude Philippe de Richebourgh, Francis Ribot Peter ffaure, John Joanny James Champagne *and others* and acquainted the Council that the Houſe had agreed to the amendments propoſed by their Hon^rs^ to the ſaid Bill and had inſerted them therein

And the ſ^d^ Bill being peruſed by ye Council

Ordered

That ye Clk of ye Gen^ll^ Aſſembly return y^e^ ſ^d^ Bill to the Houſe of Burgeſſes and acq^t^ them that the Council have examined y^e^ ſame & are ſatisfied that the amend^mts^ are truly inſerted, and alſo carry back ye Reſolves brought by Mr *Hoe* & acq^t^ the Houſe that y^e^ ſame are agreed to

A meſſage from the Burg^s^ to his Excellency & the Council by M^r^ *Wm Randolph* & others, that they were commanded by the Houſe of Burgeſſes to wait on his Excell^cy^ & their Hon^rs^ with a Congratulatory Addreſs to her Majeſty prepared by the Houſe to wch they pray his Excell^cys^ & their Hon^rs^ concurrence

A

A meſſage to the Council by Mr *George Marable* & others who brought Mr *Treaſurers* accots of the Impoſitions paſſed by the Houſe of Burgeſſes and deſired their Honrs concurrence.

The Congratulatory Addreſs to her Majeſty prepared by the Houſe of Burgeſſes being read was agreed to with ſome Additions

Ordered

That the Clerk of the Genll Aſſembly carry the fd Addreſs to the Houſe of Burgeſſes and acquaint them that his Excy & ye Council have agreed thereto with ſome Additions to wch they deſire the concurrence of that Houſe

A petition of *Charles Heydon*, *John Jones* and others Maſters of ſhips now in *York* River, and alſo

A petition of *Robert Baily*, *Joſeph Smith* and *Hugh Arbuthnot*, Mrs of Ships in behalf of themſelves & others Maſters of ſhips in *Potomack* & *Rappa* Rivers praying leave to ſail for *Engld* with the *Strombulo* man of war,

Were ſeverally Read & Refer'd to ye conſideration of the Houſe of Burgeſſes

Mr *Treaſurers* accots of the Impoſitions on Liquors Servants & Slaves being examined were paſſed by the Council

The Council abſent

A meſſage from the Burgeſſes to his Excellcy by Mr *Miles Cary* & others who brought the Book of publick Claimes paſt with ſeveral Reſolves relating to the Capitol, agreed on by the Council & Burgeſſes & pray his Excellcys aſſent

Whereupon his Excellcy was pleaſed to ſign his Aſſent to the fd Book of Claims & Reſolves.

Ordered

That the Clerk of the General Aſſembly carry the following meſſage in writing from his Excellcy to the Houſe of Burgeſſes.

Mr Speaker *& Gentlemen of the houſe of Burgeſſes*

I propoſe to you . . . . . [See J. of H. of B., p. 122.]

The Council adjourned till to morrow morning 9 a clock

Saturday May the 12th 1705

Preſent

HIS Excellency, *Jne Lightfoot*, *Robert Carter*, *John Cuſtis*, *Philip Ludwell*, *Henry Duke*, *Jne Smith* and *John Lewis* Eſqrs

A meſſage to his Excellcy & the Council from the Houſe of Burgeſſes by Mr *Wm Randolph* and others, that they were commanded by the Houſe to wait on His Excellency & their Honrs with the Congratulatory Addreſs to her Maty fairly tranſcrib'd with the Additions propoſed by his Excellcy & their Honrs

Then the ſaid Addreſs was read over and Sign'd by his Excellcy & the Council, and is as follows

To the Queen's moſt Excellt Majeſty

May it pleaſe Yor Majtie

We Yor Majeſtys moſt Loyal . . . . . [See J. of H. of B., p. 121.]

Ordered

That the Clerk of the Genll Aſſembly carry back the ſaid Addreſs to the Houſe of Burgeſſes for their Signing

His Excellency Signifyed to the Council that Mr *Benjamin Harriſon* & others brought him a meſſage laſt night from the Houſe of Burgeſſes deſiring to know when the Houſe ſhould attend him with an Addreſs to her Majeſty wch they had prepared, And thereupon

Ordered

That the Clerk of the Genl Aſſembly go to the Houſe of Burgeſſes and acquaint them that his Excellcy is now ready to receive their Addreſs to her Majeſty mentioned in the meſſage ſent yeſterday by Mr *Benja Harriſon* & others

Mr

Mr *John Martin* having produced a draught of a Bond to be ſign'd by him & his ſecurity for the tranſportation of the *Nanſiatico* Indians according to the Act agreed on by the Council and Burgeſſes this Seſſion, the ſaid Bond was peruſed & approved of.

Ordered

That the Clerk of the Genll Aſſembly carry to the Houſe of Burgeſſes the draught of the Bond preſented to his Excy & the Council by Mr *Jno Martin* for tranſporting the *Nanſiatico* Indians, and acquaint them that his Excellcy & the Council approve thereof, and that if the Houſe of Burgeſſes are Satisfyed with the draught of the ſaid Bond, Then his Excellcy commands the Houſe to attend him with the Bill concerning the *Nanſiatico* & other Indians to receive his aſſent that ſo the ſd Indians may be delivered to Mr *Martin*

The Houſe of Burgeſſes attending his Excellcy

Mr *Speaker* addreſſed himſelf to his Excellcy to this effect

May it pleaſe Yor Excellcy

Her Majeſtys Loyal and dutiful Subjects the Burgeſſes having prepared an humble Addreſs to her moſt ſacred Majeſty, do now attend Yor Excellcy and humbly pray yor Excellcys favour to get it preſented to her Matys hands

Whereupon his Excellcy was pleaſed to ſay he would take care of it.

Then the Houſe withdrew

A meſſage from the Burgeſſes to his Excellcy and the Council by Mr *Cary* & others, who brought a Reſolve of the Houſe in anſwer to his Excellcys & their Honrs meſſage concerning the bounds of *North Carolina*

Mr *Cary* alſo brought the book of publick proportions and a Bill Entituled *an Act for raiſing a publick Levy* to wch the Burgeſſes deſire the Council's concurrence.

The Addreſs to her Majeſty juſt now delivered to his Excellency by the Houſe of Burgeſſes was read complaining of ſome Repreſentacons made in *England* to their prejudice by Colle *Robert Quary*

Ordered

That the Clerk of the General Aſſembly carry the following meſſage in writing from his Excellency to the Houſe of Burgeſſes

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

I have read yor Addreſs . . . . . [See J. of H. of B., p. 123.]

His Excellency Sign'd his aſſent to Mr *Treaſurer*'s accots, and Ordered that the Clerk of the Genll Aſſembly carry them to the Houſe of Burgeſſes, and alſo acquaint the Houſe that his Excellcy commands their attendance with the Bill Ent *an Act concerning the* Nanſiatico *& other Indians.*

A Bill Ent *an Act for raiſing a public Levy* read the firſt time & Ordered a ſecond reading.

The Council adjourned during pleaſure

AND being again mett

The Reſolves of the Houſe of Burgeſſes concerning the bounds of *North Carolina* were read as follows

May 2d 1705

Reſolved

That the beſt way to prevent any further encroachmts being made by the Governmt of *North Carolina* on the Inhabitants of this Colony is to make proviſion as ſoon as poſſible for laying out & aſcertaining the Boundarys between this Government and that of *North Carolina*, and that Commrs be appointed & impowered by his Excellency with the advice & conſent of the Council to treat with ſuch Commrs as ſhal be appointed by the Government of Carolina for effecting ye ſame

On reading the Reſolve of the Houſe of Burgeſſes concerning the bounds of *North Carolina*

Reſolved

That it is the opinion of the Council that before any Treaty be had with the Governmt of *North Carolina*, Mr *James Minge* and Mr *Robt Bolling* junr Surveyors be directed

directed as soon as conveniently may be privately to run ye line between this Governm^t^ & *North Carolina*, proceeding according to ye Course mentioned in the patent of the Lords Proprietors.

Resolved

That the said Surveyors be directed to take particular notice what lands or Plantacons held by patents or Entrys under this Government may happen to be cutt off by the f^d^ Line, or how far the same may happen to run beyond the Inhabitants of this Colony.

Ordered

That the said Surveyors make Report of their proceedings to his Excell^cy^ and the Council that they may be the better enabled to appoint Comm^rs^, or make Representation to her Majesty as they shal find expedient for the good of the Inhabitants of this Country.

Ordered

that a copy of the above Resolves, be sent to the Burgesses for their concurrence

Then his Ex^cy^ signed the f^d^ Resolves thus

I do concur with the Council in the above Resolves

ffr: Nicholson

A message from the Burgesses to the Council by Mr *Benj^a^ Harrison* & others who brought the Bill Ent *an Act concerning* ye Nansiatico *& other Indians* fairly Enrolled with the Engrossed copy and desired their Hon^rs^ to examine it

A message from the Burgesses to the Council by Mr *Miles Cary* & others who brought an ordinance of Assembly for defence of the Country in times of danger to wch they desire their Hon^rs^ concurrence.

The inrolled Bill Ent *an Act concerning the* Nansiatico *& other Indians* being examined by the Council

Ordered

That the Clerk of the General Assembly return the same to the House of Burgesses and acquaint them that ye Council have examined it

An ordinance of Assembly for defence of the Country in times of danger was read and agreed to by the Council, &

Ordered

That the Clerk of ye Gen^ll^ Assembly carry back ye f^d^ Ordinance to the House of Burgesses & acquaint them that the Council have agreed to the same

A bill Ent *an Act for raising a publick Levy* was read the 2^d^ time and

Ordered a third reading.

Then the Council adjourned during pleasure

AND being again mett

The House of Burgesses came to attend his Excell^cy^ in the Council Chamber and Mr *Speaker* acquainted his Excell^cy^ that pursuant to his Excell^cys^ commands the house were come to attend his Excell^cy^ with a Bill agreed on by the hon^ble^ Council and themselves Entituled *an Act concerning the* Nansiatico *& other Indians*, to receive his Excell^cys^ assent

Whereupon the said bill was Sign'd by his Excell^cy^ & afterwards by Mr *Speaker*

Then Mr *Speaker* presented to his Excell^cy^ the Congratulatory Addres to her Maty agreed on by his Excy, the Council & Burgesses & acq^ted^ his Excell^cy^ that ye f^d^ Addres was signed by every member of the House.

And then the Burgesses withdrew.

The Book of proportion of the publick Levy was agreed to by the Council

A Bill Ent *an Act for raising a publick Levy* read the third time

Resolved

That the Bill do pass

Ordered

That the Clk of the Gen^ll^ Assembly carry the f^d^ Bill to ye House of Burg^s^ and acquaint them that the Council have passd the same without any amendm^t^

A

A peticon of *Robt Baily Joſeph Smith & Hugh Arbuthnot* in behalf of themſelves and other Maſters of ſhips praying leave to ſail for *England* with her Matys ſhip *Strombulo* read &

Referred to the Houſe of Burgeſſes.

Ordered

That the Clerk of the General Aſſembly acquaint the Houſe of Burgeſſes that his Excellcy having deſired their opinion what ſhal be accounted a ſufficient Convoy for the ſhips in the Country, and ſome peticons having been ſince preſented to his Excellcy and the Council by ſome Maſters of Ships and by them recomended to ye Conſideracon of the Houſe of Burgeſſes, His Excellcy & the Council do deſire the Houſe to ſignify their opinion therein, that they may give directions accordingly

A peticon of *John Redwood* praying an order for his Sallary as Keeper of the publick Goal read &

Refer'd to ye conſideration of the Houſe of Burgeſſes

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Benja Harriſon* & others who brought the inrolld bills paſt this Seſſion, and acquainted the Council that the Houſe had examined and compared them with the Engroſſed Bills & that they agreed, and had ſent the Engroſſed bills to their Honrs that they might peruſe and examine them

Then the Council examined the Enrolled bills and compared them with the Engroſſed Bills agreed on this Seſſion.

Ordered

That the Clerk of the Genll Aſſembly carry the Enrolled Bills to the houſe of Burgeſſes & acquaint the houſe that the Council have compared & examined them with the Engroſſed Bills & find them to agree.

His Excellency was pleaſed to ſign his aſſent to the Book of proportions of the publick Levy

Ordered

That the Clk of the Genll Aſſembly carry back the fd Book to the Houſe of Burgeſſes

His Excellency acquainted the Council that he had received an Addreſs from the Houſe of Burgeſſes laſt night By Mr *Nathaniel Harriſon* & others, wch was read, & is as follows

To his Excellency Francis Nicholſon *Eſqr her Matys Lievt and Governor Genll of* Virginia *May it pleaſe Yor Excellency*

We her Majeſtys moſt dutiful . . . . . [See J. of H. of B., p. 115.]

And thereupon

Ordered

That the Clerk of the General Aſſembly carry the following meſſage from his Excellcy to the houſe of Burgeſſes

Mr Speaker *& Gentlemen of the Houſe of Burgeſſes*

I received yor Addreſs . . . . . [See J. of H. of B., p. 124.]

Ordered

That the Clerk of the Genll Aſſembly acquaint the houſe of Burgeſſes that a peticon of Lt Colln *James Taylor* for leave to go out on a diſcovery at the head of *Mattapony* River being referred to the houſe of Burgeſſes by his Excellcy and the Council; they deſire the houſe to ſignify their proceedings thereon

A meſſage to his Excellcy from the Houſe of Burgeſſes by Mr *Thomas Barber* & others who brought the following Reſolve *viz*

May 12th 1705

Reſolved

That this Houſe did not intend that their Addreſs to her Majeſty againſt Colln *Robert Quary* ſhould be made uſe of agt his Excellcy

A

A meſſage to his Excell^cy by Mr *Miles Cary* & others who brought the following Reſolves in anſwer to his Excell^cys meſſage ſent this day *viz*

May the 3^d 1705

Upon conſideration of a Report of the Com^tee of propoſitions & Grievances made upon a petiçon of *James Taylor* to be admitted to go upon a diſcovery on the back parts of *King* & *Queen* County

The Houſe agreed to the Report of the Com^tee *viz*

That if he be willing to go upon his own charge his Excell^cy (if he pleaſes) will give him ſuch permiſſion.

May 8th 1705

Reſolved

That it is the opinion of this Houſe that two or more men of war of good force may be Sufficient to Convoy thoſe ſhips now in the Country for *England.*

May 12th 1705

Ordered

That leave be given to *Robt Baylie* & others & *Charles Heydon* & others to withdraw their petitions.

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Miles Cary* & others who brought the following order to wch they deſire their Hon^rs concurrence.

Which order being read was agreed to by the Council, & is as follows

Ordered

That *John Redwood* be paid his Sallary of thirty pounds for being Goal Keeper of the publick priſon

Then his Excell^cy was pleaſed to ſign his aſſent to the ſ^d order

Reſolved

That the Council do concur in opinion with the Houſe of Burgeſſes that two or more men of war of good force may be Sufficient to Convoy thoſe ſhips now in the Country for *England.*

A meſſage to his Excell^cy and the Council by Mr *Robt Bolling* & others who brought the following Reſolve in anſwer to their meſſage concerning the Bounds of *North Carolina Viz*

May the 12th 1705

Reſolved

That it is the opinion of this Houſe that the meaſures propoſed by the Council in their Reſolves of this day for laying out the bounds between this Colony & *North Carolina* will prove very chargeable, and be of no Service to this Country, and therefore the houſe cannot agree to the ſame.

Ordered

That the ſaid Reſolve ly upon the Table.

Ordered

That the Clerk of the Gen^ll Aſſembly go to the Houſe of Burgeſſes & acquaint them that his Excell^cy commands their immediate attendance on him in ye Council Chamber.

The Houſe attending, Mr *Speaker* addreſſed himſelf to his Excell^cy to this effect

May it pleaſe yor Excell^cy

In obedience to yor Ex^cys commands the Houſe of Burgeſſes are come to attend yor Excell^cy with ſeveral bills agreed upon this Seſſion by Her Matys hon^ble Council and themſelves, in ord^r to receive y^r Ex^cys aſſent The titles of them are as follows.

An Act for ſettling & aſcertaining the current rates of forreign Coines in this Dominion.

Upon preſenting of which Act to his Excell^cy

His Excellency was pleaſed to ſay, that he was ſorry that the firſt bill preſented to him he could not paſs, becauſe it was contrary to one of her Matys Royal Inſtructions to him, (wch he read) whereby he is required to paſs no act or order for ſettling the Rates of Coines without her Majeſtys direction, But that he had adviſed with her Majeſtys hon^ble Council, & intended to ſend the copy of the Act for *England* for her Majeſtys directions therein

Then

Then the Speaker proceeded to read the Titles of the other Bills as follows

An Act permitting the exporting and difpofing of Tobacco packd in old Cask

An Act for Naturalization of Claude Philyppe de Richbourg Francis Ribot Peter ffaure John Joanny James Champagne *& others*

An act impowering the Court of King *&* Queen *County to purchafe land to build a Town*

An Act for raifing a publick Levy

and

An ordinance of Aſſembly for defence of the Country in time of danger

All which Acts & ordinance were Sign'd by his Excell^cy & the Speaker of the Houſe of Burgeſſes

After wch his Excell^cy ſpoke to this effect

That he thankd the Houſe in her Ma^tys name for their Congratulatory Addreſs to her Majeſty. that he hop'd there would be no occaſion for their meeting before next *Auguſt*, nor did he intend to call them then, unleſs neceſſity required: but being in expectation of Receiving orders from *England* by the *London* Fleet he thought fitt to prorogue them only to the 2^d day of *Auguſt* & accordingly they were prorogued.

Examined with the Original. ℔

Wil Robertſon Cl Genl Aſſembly

431 432

AT A

GENERAL ASSEMBLY

begun and held at her Majeſtys Queen *Anne* her Royal Capitol the 23^{d} day of *October* 1705 in the 4th year of the Reign of our Soveraign Lady *Anne* by the grace of God of *England, Scotland, France* & *Ireland* Queen Defender of the faith &c.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1412, pp. 609-640.]

At a General Aſſembly begun and held at her Majeſtys Queen *Anne* her Royal Capitol the 23d day of *October* 1705 in the 4th year of the Reign of our Soveraign Lady *Anne* by the grace of God of *England, Scotland, France* & *Ireland* Queen Defender of the faith &c.

[*October* 23rd, 1705.]

Preſent

HIS Excellency *Edward Nott* Eſqr her Majeſtys Lievtenant and Governor General of *Virginia, Edmund Jenings, John Lightfoot, Dudley Digges, Benja Harriſon, Robert Carter, John Cuſtis* Eſqrs, *James Blair* Comry, *Philip Ludwell, Wm Baſſett, Henry Duke* and *Wm Churchill* Eſqrs

William Robertſon being Commiſſionated by his Excellcy to be Clerk of the General Aſſembly of this Dominion took the Oaths appointed by Act of parliament to be taken inſtead of the Allegiance & Supremacy, the abjuration Oath, ſubſcribed the Teſt and took the Oath of Clerk of the General Aſſembly.

Ordered

That the Clerk of the Genll Aſſembly go to the Houſe of Burgeſſes & acquaint them that his Excellcy commands their immediate attendance on him in ye Council Chamber.

The Houſe being come His Excellency was pleaſed to ſay as followeth,

Gentlemen

I am extremely pleaſed to ſee ſo great an appearance; I deſire you to repair to yor Houſe and make choice of a Speaker at yor conveniency

Then the Council adjourned till to morrow morning at 11 aclock

Wedneſday October the 24th 1705

Preſent

HIS Excellencie, *Edmund Jenings, Jno Lightfoot, Dudley Diggs, Benja Harriſon, Robert Carter, Jno Cuſtis* Eſqrs, *James Blair* Comry, *Philip Ludwell, Wm Baſſet, Henry Duke* and *Wm Churchill* Eſqrs

A meſſage from the Houſe of Burgeſſes to his Excellency by Mr *Robert Beverley* and others, who acquainted his Excellency that the Houſe had made choice of a Speaker and deſired to know when they ſhould attend his Excellcy

To which his Excellcy made anſwer that he was glad they had made ſo ſpeedy a choice and would give them notice by a meſſage when they ſhould attend him.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that his Excellency commands their immediate attendance on him in the Council Chamber

The Houſe of Burgeſſes being come to attend his Excellency preſented *Benjamin Harriſon* of the County of *Charles City* Gent as their Speaker, who addreſſed himſelf to his Excellency to this effect, "That the Houſe of Burgeſſes according to his Excellcys commands and their ancient priveledges had proceeded to the choice of a Speaker, and paſſing

paſſing by many other worthy members of their Houſe who were more capable of that Truſt they had been pleaſed to caſt their Eyes on him to be their Speaker, and that he Submitted to his Excell[cy]s conſideracõn his unfittneſs for ſo weighty a Station.

Whereupon his Excell[cy] was pleaſed to ſay that he was glad the Houſe had made Choice of ſo able a perſon for their Speaker and that he approved of their choice.

Then M[r] *Speaker* in name of the Houſe of Burgeſſes, and of all the Commons of this Colony, prayed that the antient priviledges may be continued to the Burgeſſes of this Aſſembly, that in order to their better attending thoſe weighty affairs that are to come before them they may be free in their perſons, Eſtates & Servants from arreſts That in all their conſultacõns they may enjoy freedom of Debate and as oft as the neceſſity of affairs requires, free acceſs to his Excell[cy]s perſon, And then in behalf of himſelf prayed that none of his miſtakes may tend to the prejudice of the Houſe of Burgeſſes or any member thereof.

Unto which his Excell[cy] was pleaſed to anſwer That all the uſual priviledges of the Houſe of Burgeſſes Were granted and ſhould be continued to them.

And then his Excell[cy] made the following Speech

Gentlemen

Her Majeſty having been . . . . . [See J. of H. of B., 1702/3-1712, pp. 130-131.]

M[r] *Speaker* applying himſelf to his Excell[cy] for a copy of his Speech, his Ex[cy] was pleaſed to give him a copy thereof.

And then the Houſe of Burgeſſes withdrew &

The Council adjourned till to morrow morning 10 aclock.

Thurſday October 25th 1705

Preſent

EDMUND JENINGS, *Jno Lightfoot, Dudley Diggs, Benj[a] Harriſon, Robert Carter, Jno Cuſtis* Eſq[rs], Mr Com[ry] *Blair, W[m] Baſſett, Henry Duke* and *Wm Churchill* Eſq[re]

The Grievances of *Prince Georges* County read, and

Referred to ye conſideracõn of the houſe of Burgeſſes

The Council adjourned till to morrow morning 10 aclock

Friday October 26th 1705

preſent

EDM[D] JENINGS, *Dudley Diggs, Benj[a] Harriſon, Robert Carter, John Cuſtis* Eſq[rs], *James Blair* Com[ry], *Philip Ludwell, W[m] Baſſet, Henry Duke & Wm Churchill* Eſq[rs]

The Grievance of *King & Queen* County Read & Referred to ye conſideracõn of the Houſe of Burgeſſes

A Grievance from *Nanſemond* County, Read & Referred to ye conſideracõn of the Houſe of Burgeſſes

And then ye Council adjourned till tomorrow morning 10 aclock.

Saturday October 27th 1705

preſent

EDMUND JENINGS, *Jno Lightfoot, Dudley Digges, B. Harriſon, Robert Carter, Jno Cuſtis* Eſq[rs], *James Blair* Com[ry], *Philip Ludwell, W[m] Baſſet, Henry Duke & W[m] Churchill* Eſq[rs]

The Council mett and adjourned till *Munday* morning 10 aclock

Munday

Munday October 29th 1705

prefent

HIS Excellencie, *Jn° Lightfoot, Robert Carter, Jn° Cuſtis* Eſq^rs, *James Blair* Com^ry, *Philip Ludwell & Wm Churchill* Eſq^re

A meſſage to his Excell^cy from the houſe of Burgeſſes by Mr *Robert Beverley* & others, That the Houſe pray his Excellency to iſſue out a new Writt for the election of Burgeſſes to ſerve in this Aſſembly for *King William* County in ye room of Mr *John Weſt* and Mr *Thomas Weſt* who are unduly elected Burgeſſes for the f^d County.

Edmund Jenings Eſq^r prefent

The Grievances of *Princeſs Anne* County read and Referred to ye conſideration of the Houſe of Burgeſſes

The peticõn of *John Adams* Interpreter to the *Pamunky & Chicahominy* Indians praying his uſual Sallary may be allowed him, Read & Referred to ye conſideracõn of the Houſe of Burgeſſes.

A Grievance from *King William* County read, & Referred for further conſideracõn till to morrow morning

And then the Council adjourned till to morrow morning 10 aclock.

Tueſday October 30th 1705

preſent

HIS Excellency, *Edm^d Jenings, Dudley Digges, Benj^a Harriſon, Robert Carter, Jn° Cuſtis* Eſq^rs, *James Blair* Com^ry, *Philip Ludwell, Henry Duke & Wm Churchill* Eſq^re

His Excellency having with great concern repreſented to the Council how neceſſary it is that an examinacõn be made into the occaſion of that ſad & deplorable accident wch happened laſt night of the burning of *William & Mary* College; The Council think fitt to appoint ſix members of the Council to take Examinacõns concerning that unhappy diſaſter. and

Ordered that a meſſage be ſent to the houſe of Burgeſſes to deſire that ſuch a number of Burgeſſes as the houſe ſhal think fitt may aſſiſt in examining into that matter to meet to morrow at 11 aclock in the Conference.

Ordered

That *Edmund Jenings, Dudley Digges, Benjamin Harriſon, Robert Carter & Jn° Cuſtis* Eſq^re & Mr Com^ry *Blair* be appointed to take ye f^d Examinations

The Grievance of *King William* County referred yeſterday for further conſideration is further Referred till tomorrow morning.

And then ye Council adjourned till to morrow morning 10 aclock.

Wedneſday October 31ſt 1705

Preſent

EDMUND JENINGS, Dudley Diggs, Benj^a Harriſon, Robert Carter, Jn° Cuſtis Eſq^rs, *James Blair* Com^ry, *Philip Ludwell, Henry Duke & Wm Churchill* Eſq^re

A meſſage from the Burgeſſes to ye Council by Mr *Peter Beverley* & others who acquainted the Council that the Houſe agreed to the propoſal made for taking examinations concerning the burning of *William & Mary* College & had appointed twelve of their Members to meet the Council at ye time & place mentioned in their meſſage.

Philip Ludwell Eſq^r abſent

The Grievance of *King William* County referred yeſterday for further conſideracõn, was this day read, and after debate

Reſolved

Refolved

That the paper prefented as a Grievance from *King William* County be fent to ye Houſe of Burgeſſes with a Remark thereon.

Ordered

That the Clerk of the General Aſſembly carry the following meſſage to the houſe of Burgeſſes, with the paper prefented as a Grievance from *King William* County *viz*

The Council having read and perufed a paper prefented to them as a Grievance from *King William* County, find it to contain matter of very dangerous conſequence but as it has a particular relation to the Houſe of Burgeſſes they have thought fitt to ſend it to the Houſe as more proper for their cenſure.

And then the Council adjourned till tomorrow morning 10 aclock.

Thurſday November ye 1^ſt^ 1705

Prefent

EDMUND JENINGS, *Dudley Diggs, Benj^a^ Harriſon, Robert Carter, Jno Cuſtis* Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell, Henry Duke & Wm Churchill* Eſq^rs^

The Council mett and adjourned till tomorrow morning 10 aclock

---

Friday November 2^d^ 1705

Prefent

EDM^D^ JENINGS, *Dudley Digges, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis* Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell, Henry Duke & Wm Churchill* Eſq^rs^

The ſeveral petitions of *Andrew Young, Wm Brown, Wm Seyers,* and *Joſeph Dunbar,* praying to be admitted to keep ferry over *York* River at *Tindals* point Read & Referred to ye conſideration of the Houſe of Burgeſſes

The Petiĉon of *Miles Cary, William Buckner & Wm Robertſon* Attorneys of Coll^o^ *Francis Nicholſon* praying allowance for his charges in procuring the Queens picture &c for this Country Read & referred to the conſideration of the Houſe of Burgeſſes

And then the Council adjourned till tomorrow morning 10 aclock

---

Saturday November 3^d^ 1705

prefent

EDMUND JENINGS, *Dudley Digges, Benj^a^ Harriſon, Robert Carter, Jno Cuſtis* Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell, Henry Duke & Wm Churchill* Eſq^rs^

The petition of Mr Secretary *Jenings* praying allowance for copying the Rules of the General Court for the uſe of the County Courts, Read & referred to ye conſideraĉon of the houſe of Burgeſſes

The petition of Mr Secretary *Jenings* praying allowance for iſſuing tuenty Eight Writts for Eleĉtion of Burgeſſes, Read and Referred to the conſideraĉon of the houſe of Burgeſſes.

The petiĉon of Major *Arthur Allen* praying allowance for Surveying the *Nattoway* Indians Land purſuant to the Aĉt of Aſſembly Read & Referred to ye conſideraĉon of the Houſe of Burgeſſes.

And then the Council adjourned till *Munday* morning 10 aclock.

Munday November ye 5th 1705

prefent

DUDLEY DIGGS, *Benj^a^ Harriſon, John Cuſtis* Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell & Wm Churchill* Eſq^rs^

The Council adjourned till to morrow morning 10 aclock

Tueſday

Tueſday November 6th 1705

preſent

EDM^{D} *JENINGS, Dudley Diggs, Benj^{a} Harriſon, John Cuſtis, W^{m} Baſſet, Henry Duke &* [*Wm Churchill*] Eſq^{rs}

The Council mett and adjourned till to morrow morning 10 aclock

Wedneſday November ye 7th 1705

Preſent

EDMUND *JENINGS, Dudley Diggs, Benj^{a} Harriſon, John Cuſtis* Eſq^{rs}, *James Blair* Com^{ry}, *Philip Ludwell, W^{m} Baſſett, Henry Duke & Wm Churchill* Eſq^{rs}

The Council mett and adjourned till to morrow morning 10 aclock

Thurſday November ye 8th 1705

preſent

EDMUND *JENINGS, Dudley Digges, Benj^{a} Harriſon, John Cuſtis* Eſq^{rs}, *James Blair* Com^{ry}, *Philip Ludwell, W^{m} Baſſett, Henry Duke & Wm Churchill* Eſq^{rs}

A meſſage from the Houſe of Burgeſſes to ye Council by Mr *Miles Cary* & others who brought a bill Ent *an Act preſcribing the method of appointing ſherifs, and limiting the time of their continuance in office, and directing their duty therein,* and a Bill Ent *an Act concerning Jurys,* paſt by the houſe to wch they deſire the concurrence of the Council.

A bill Entituled *an Act concerning Jurys,* read the firſt time, & Ordered a ſecond reading.

A bill Ent *an Act preſcribing the method of appointing ſherifs & limiting the time of their continuance in office & directing their duty therein.* Read ye firſt time, and Ordered a ſecond reading.

And then the Council adjourned till to morrow morning 10 aclock

Friday November ye 9th 1705

preſent

DUDLEY *DIGGES, Benj^{a} Harriſon, Robt Carter, Jno Cuſtis* Eſq^{rs}, *Ja: Blair* Com^{ry}, *Philip Ludwell, W^{m} Baſſet, Henry Duke & Wm Churchill* Eſq^{rs}

A bill Entituled *an Act preſcribing the method of appointing Sherifs, and limiting the time of their Continuance in Office and directing their duty therein,* read the ſecond time, and amended,

Ordered

That the bill with the amendments be read a 3^{d} time.

Edmund Jenings Eſq^{r} preſent

A bill Entituled *an Act concerning Jurys* read the 2^{d} time and amended, and *Ordered* that the bill with the amendments be read a third time.

And then ye Council adjourned till to morrow morning 10 aclock

Saturday November ye 10th 1705

preſent

EDMUND *JENINGS, Dudley Diggs, Benj^{a} Harriſon, Jno Cuſtis* Eſq^{rs}, *James Blair* Com^{ry}, *Philip Ludwell, William Baſſett, Henry Duke & Wm Churchill* Eſq^{rs}

A motion being made that the two Bills ſent up from the Burgeſſes be now read a third time.

Reſolved

That the ſ^{d} two Bills have a third reading on *Munday* next

And then the Council adjourned till *Munday* morning 10 aclock.

Munday

Munday November ye 12th 1705

preſent

EDMUND JENINGS, *Robert Carter, John Cuſtis* Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell, Wm Churchill* Eſq^r^

Ordered that the third reading of the two Bills ſent up from the Burgeſſes be referred till to morrow morning in expectacõn of a fuller Council.

And then the Council adjourned till to morrow morning 9 aclock

---

Tueſday November ye 13th 1705

preſent

EDMUND JENINGS, *Dudley Diggs, Robt Carter, Jno Cuſtis* Eſq^rs^, *Ja: Blair* Com^ry^, *Philip Ludwell, W^m^ Baſſet, Henry Duke & Wm Churchill* Eſq^rs^

A peticon of the Inhabitants of the Lower part of *Wilmington* pariſh praying to be incorporated into *James City* pariſh Read and Referred to the conſideration of the Houſe of Burgeſſes.

Ordered

That the two Bills ſent up from the Burgeſſes be read a 3^d^ time to morrow morning.

And then the Council adjourned till to morrow morning 9 aclock.

Wedneſday November 14th 1705

preſent

EDMUND JENINGS, *Dudley Diggs, Benj^a^ Harriſon, Robert Carter, Jno Cuſtis* Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell, W^m^ Baſſet, Henry Duke & Wm Churchill* Eſq^rs^

A bill Entituled *an Act preſcribing the method of appointing Sherifs, and for limiting the time of their continuance in office, & directing their duty therein*, was read a third time, and an Amendment being propoſed thereto, and thrice read, was agreed to

Reſolved

That the Bill with the amendm^ts^ do paſs

A bill Ent *an Act concerning Jurys* Read the third time & a further amendm^t^ being propoſed thereto & thrice read, was agreed to

Reſolved

That the Bill with the amendm^ts^ do paſs

Ordered

That the Clk of the General Aſſembly carry the aforeſ^d^ two Bills to the Houſe of Burgeſſes, and acquaint them that the Council have agreed thereto with ſeveral amendments to wch they deſire the concurrence of the Houſe.

And then ye Council adjourned till to morrow morning 9 aclock.

Thurſday November ye 15th 1705

preſent

EDMUND JENINGS, *Dudley Digges, Benj^a^ Harriſon, Robert Carter, Jno Cuſtis* Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell, W^m^ Baſſett, Henry Duke & Wm Churchill* Eſq^r^

A meſſage from the Houſe of Burgeſſes to the Council by Mr *William Randolph* and others, who brought two bills *viz* a bill Ent *an Act for the effectual Suppreſſion of vice, and reſtraint and puniſhment of blaſphemous, wicked and diſſolute perſons.* and a Bill Entituled *an Act for Limitacõn of actions and avoiding of Suits paſt by the Houſe*, to wch they deſire the Councils concurrence.

A

A Bill Entituled *an Act for the effectual Suppreſſion of vice, and reſtraint and puniſhment of blaſphemous wicked & diſſolute perſons*, Read ye firſt time & ordered a Second reading.

A bill Entituled *an Act for Limitacon of actions and avoiding of Suites* Read ye firſt time, and Ordered a 2^d^ reading

And then ye Council adjourned. till to morrow morning 9 aclock

---

Friday November 16th 1705

preſent

ED: JENINGS, *Dudley Diggs, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis* Eſq^rs^, Mr Com^ty^ *Blair, Philip Ludwell, W^m^ Baſſet, Henry Duke & Wm Churchill* Eſq^r^

A bill Entituled *an Act for limitacon of actions & avoiding of Suits*, Read ye 2^d^ time & Committed for amendments.

And then the Council adjourned till to morrow morning 9 aclock.

Saturday November 17th 1705

Preſent

EDM^D^ JENINGS, *Dudley Diggs, Benj^a^ Harriſon, Robt Carter, Jno Cuſtis* Eſq^rs^, Mr Com^ty^ *Blair, Philip Ludwell, W^m^ Baſſet & Henry Duke* Eſq^r^

A meſſage to the Council from the Houſe of Burgeſſes by Mr *Peter Beverley* & others who brought the following Bills paſt by the Houſe *viz* a Bill Ent *an Act concerning the Church, Clergy and other parochial affairs.* A bill Ent *an Act directing the building and maintaining of priſons, pillorys, whipping poſts Stocks & Ducking Stools in every County, and for Settling the Rules of priſons*, A bill Ent *an Act againſt importing Tobacco from* Carolina *& other parts without the Capes of* Virginia. A bill Entituled *An Act for improving the Staple of tobacco, and for regulating the Size of tobacco hogſheads.* A bill Entituled *an Act declaring who ſhal not bear office in this Country* and a bill Entituled *an act declaring how long Judgments Bonds, obligations & acco^n^ ſhal be in force, for ye aſſignment of Bonds and obligations, directing what proof ſhal be ſufficient in ſuch Caſes, and aſcertaining the dammages upon proteſted bills of Exchange*, To which they deſire the Councils concurrence.

A bill Entituled *an Act for Limitation of actions & avoiding of Suits* was amended and the amendments twice read, and

Ordered that the Bill with the amendments be read a 3^d^ time on *Munday* next.

A bill Entituled *an Act concerning the Church Clergy & other parochial affairs* Read the firſt time, and Ordered a 2^d^ reading.

A bill Entituled *an act directing the building & maintaining of priſons pillorys, whipping poſts Stocks & Ducking ſtools in every County, & for Settling the Rules of priſons* read ye firſt time, and Ordered a 2^d^ reading.

A bill Entituled *an Act againſt importing Tobacco from* Carolina *& other parts without the Capes of* Virginia, Read ye firſt time & ordered a ſecond reading.

A bill Entituled *an Act for improving the Staple of Tobacco & for regulating the Size of Tobacco hogſheads*, Read ye firſt time & ordered a Second reading

A bill Entituled *an Act declaring who ſhal not bear office in this Country* Read ye firſt time & ordered a ſecond reading.

A bill Entituled *an Act declaring how long Judgements Bonds, obligations and accompts ſhal be in force, for the aſſignment of Bonds & obligations, directing what proof ſhal be Sufficient in ſuch Caſes & aſcertaining the dammages upon proteſted bills of Exch^e^* Read the firſt time & Ordered a Second reading.

And then the Council adjourned till *Munday* morning 9 aclock.

Munday

Munday November the 19th 1705

Preſent

EDMUND JENINGS, *Dudley Diggs, Benj*ª *Harriſon* Eſqrs, *Robert Carter, Jn*º *Cuſtis* Eſqrs, Mr Comry *Blair & Philip Ludwell* Eſqr

A bill Entituled *an act for Limitacon of action and avoiding of Suits* read the third time with the amendments

Reſolved

That the Bill with the amendments do paſs.

A bill Entituled *an Act againſt importing Tobacco from* Carolina *& other parts without the Capes of* Virginia Read the ſecond time and Ordered a 3d reading

A bill Entituled *an Act declaring who ſhal not bear office in this Country,* read the ſecond time, and Ordered a third reading

A bill Ent *an Act directing the building and maintaining of priſons, pillorys whipping poſts, Stocks and Ducking Stools in every County and for Settling the Rules of priſons* Read a ſecond time and Ordered a 3d reading.

And then the Council adjourned till to morrow morning 9 aclock.

Tueſday November 20th 1705

preſent

EDMD JENINGS, *Dudley Digges, Benjª Harriſon, Robt Carter* Eſqrs, *James Blair* Comry, *Philip Ludwell, Wm Baſſet & Henry Duke* Eſqrs

A bill Entituled *an Act declaring how long Judgements Bonds obligacons and accos ſhal be in force for the aſſignment of bonds & obligations, directing what proof ſhal be Sufficient in Such Caſes & aſcertaining the dammage upon proteſted bills of Exchange.* Read ye 2d time & Committed for amendments.

A bill Entituled *an Act for improving the Staple of Tobacco, & for regulating the Size of Tobacco hogſheads,* Read ye 2d time & Committed for amendmts

A bill Entituled *an Act directing the building and maintaining of priſons pillorys, whipping poſts, Stocks & Ducking ſtools in every County, & for Settling ye Rules of priſons.* Read the 3d time and paſt without amendment

A bill Entituled an *Act declaring who ſhal not bear office in this Country* being amended & the amendments twice read, was read ye 3d time with the Amendmts

Reſolved

That the bill with the Amendments do paſs

A bill Entituled *an Act againſt importing Tobacco from* Carolina *& other parts without the Capes of* Virginia Read the 3d time and paſt without amendmts

Ordered

That the Clerk of the Genll Aſſembly carry the three laſt mentioned bills to ye Houſe of Burgeſſes.

A bill Ent *an Act concerning the Church Clergy and other Parochial affairs,* Read the ſecond time and Committed for amendments to *Edmd Jenings Dudley Diggs & Robert Carter* Eſqrs and Mr Commiſſary *Blair.*

And then the Council adjourned till to morrow morning 9 aclock.

Wedneſday November ye 21ſt 1705

Preſent

EDMUND JENINGS, *Dudley Digges, Benjª Harriſon, Robert Carter* Eſqrs, *James Blair* Comry, *Philip Ludwell, Wm Baſſet & Henry Duke* Eſqrs

A bill Ent *an Act declaring how long Judgements Bonds Obligations & Accounts that [ſhall] be in force, for the aſſignment of Bonds & obligacons, directing what proof ſhal be Sufficient in ſuch Caſes & aſcertaining the dammages upon proteſted Bills of Exchº*, being amended was read ye 3d time with ye Amendments

Reſolved

Reſolved that the Bill with the amendments do paſs.

Ordered that the Clk of the General Aſſembly carry the ſd bill to the houſe of Burgeſſes and deſire their concurrence to the Councils amendments made thereto.

The Amendments made to the Bill Entituled *an Act for the better improving of the Staple of tobacco and regulating the Size of Tobacco hogſheads* being Reported and ſome alterations made therein,

Ordered

That the bill with the amendments be read a third time to morrow morning.

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Robert Beverley* and others who brought the following bills *viz*

A bill Entituled *an Act for aſcertaining the Gage of barrells for pork, beef, tarr & pitch.* A bill Entituled *an Act for attorneys proſecuting Suits on behalf of perſons out of the Country to give Security for the payment of ſuch coſts & dammages as ſhal be awarded againſt them.* A bill Entituled *an Act for the encouragement of the Land Frontiers.* A bill Entituled *an Act for regulating the Elections of Burgeſſes, for Settling their priviledges and for aſcertaining their allowances,* and a Bill Ent *an Act to prevent the Clandeſtine tranſportation or carrying of perſons in debt, Servants & Slaves out of this Colony*—To wch they deſire the Councils concurrence.

And then the Council adjourned till to morrow morning 9 aclock.

Thurſday November 22d 1705

preſent

EDMD *JENINGS, Dudley Diggs, Robert Carter* Eſqre, *James Blair* Comry, *Philip Ludwell, Wm Baſſet & Henry Duke* Eſqre

A bill Entituled *an Act for regulating the Elections of Burgeſſes, for Setling their priviledges and aſcertaining their allowances* Read the firſt time & ordered a Second reading.

A bill Entituled *an Act to prevent the clandeſtine tranſportacõn of perſons in debt, Servants and Slaves out of this Colony,* read ye firſt time and Ordered a 2d reading.

A bill Entituled *an Act for aſcertaining the Gage of barrells for pork, beef, tarr & pitch,* Read ye firſt time, and Ordered a 2d reading.

A bill Entituled *an Act for attorneys proſecuting Suits on behalf of perſons out of the Country to give ſecurity for the payment of ſuch Coſts & dammages as ſhal be awarded agt them.*

A bill Entituled *an Act for the encouragement of the land Frontiers* Read the firſt time & ordered a Second reading.

A bill Entituled *an Act for improving the Staple of Tobacco and for regulating the Size and Tare of Tobacco hogſheads* read the 3d time with the amendments

Reſolved

That the bill with the amendments do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Houſe of Burgeſſes and deſire their Concurrence to ye Councils amendments made thereto.

And then the Council adjourned till to morrow morning 9 aclock.

Friday November the 23d 1705.

preſent

HIS Excellency, *Dudley Diggs, Robert Carter* Eſqre, Mr Comry *Blair, William Baſſett,* and *Henry Duke* Eſqre

A meſſage to the Council from the Houſe of Burgeſſes by Mr *William Randolph* and others who brought a Reſolve of the Houſe upon the petiõn of *Claude Philippe de Richebourgh* in behalf of himſelf & the reſt of the *French* Refugees ſettled at *Manicantown* & parts adjacent, praying that ye ſame quantity of land as is allowed

allowed to every perſon imported into this Colony may be granted unto Every one of the ſd Refugees to wch Reſolve they deſire the Councils concurrence.

And the ſaid Reſolve was read and agreed to & is as followeth

Reſolved

That it is fitt the petition be granted.

Philip Ludwell Eſqr preſent

A Meſſage to his Excellcy by Mr *Miles Cary* & others who acquainted his Excellcy that the Houſe of Burgeſſes had commanded them to wait on him, and to pray that his Excellcy will pleaſe to give directions that the Accots of the Revenue for the Support of the Government may be laid before the Houſe.

Ordered

That the Clerk of the Genll Aſſembly carry the following meſſage from his Excellcy to the Houſe of Burgeſſes in anſwer to their meſſage about ye accots

Gentlemen

In anſwer to yor meſſage concerning the accompts of her Majeſtys Revenue upon enquiry I find the accots are in Mr Auditor *Byrd*s hands who is now at his houſe in the Country, but I ſhal as ſoon as poſſible ſend for the ſd Accots and lay them before you

Edw: Nott

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Miles Cary* & others acquainting their Honrs that the Houſe deſire they will be pleaſed to appoint ſuch of their members as they ſhal think fitt to joine with a Committee of the Houſe of Burgeſſes to conſider what further directions are neceſſary to be given concerning the finiſhing of the Capitol or the other publick buildings.

A meſſage from the Houſe of Burgeſſes to his Excellcy by Mr *peter Beverley* and others, that purſuant to an order of the Houſe of Burgeſſes they were come to wait on his Excellcy to acquaint him that the Houſe had prepared an Addreſs to his Excellency and deſire to know when & where his Excellcy will be attended by the whole Houſe to preſent ye ſame.

To which his Excellency was pleaſed to ſay he would be in the Council Chamber to morrow at 11 aclock.

His Excellcy abſent

Reſolved

That *Philip Ludwell* and *Henry Duke* Eſqrs be appointed to joine with the Comtees of the Houſe of Burgeſſes to Conſider what further directions are neceſſary to be given concerning the finiſhing of the Capitol, or the other publick buildings

Ordered

That a meſſage be ſent to the Houſe of Burgeſſes, that the Council have appointed two of their members to joine with the Comtees of the Burgs to conſider what further directions are neceſſary to be given concerning the finiſhing of the Capitol who will be ready to meet to morrow at 12 a clock in the Conference Room.

A Bill Entituled *an Act for Attorneys proſecuting Suits on behalf of perſons out of the County to give Security for the payment of ſuch coſts & dammages as ſhal be awarded againſt them* read ye 2d time, and Ordered a third reading

A Bill Entituled *an Act for encouragement of the Land Frontiers*, Read ye Second time & Committed for amendments.

A bill Entituled *an Act for regulating the Elections of Burgeſſes, for ſettling their priviledges & for aſcertaining their allowances*, read the 2d time & Committed for Amendments

And then the Council adjourned till to morrow morning 9 aclock.

Saturday

Saturday November the 24th 1705

prefent

HIS Excellency, *Edm^d Jenings, Robert Carter* Efq^rs, *James Blair* Com^ry, *Philip Ludwell, Wm Baffeit & Henry Duke* Efq^rs

The Houfe of Burgeffes according to his Excell^cys appointment this day attended his Excellency in the Council Chamber where Mr *Speaker* read & prefented to his Excellency the following Addrefs

To His Excellency Edward Nott *Efq^r her Majeftys Lievtenant and Governor Gen^ll of* Virginia

The humble Addrefs of the Houfe of Burgeffes

May it pleafe Yo^r Excell^cy

We her Majeftys . . . . . [See J. of H. of B., p. 168.]

To wch his Excellency was pleafed to anfwer to this effect

Gentlemen

You fhal always find me ready to oblige the Houfe of Burgeffes in any thing that lyes in my power, but this being a matter of great moment, I muft take [fome] little time to confider of it with the Council.

Ordered

That the Clerk of the General Affembly carry the following meffage in writing from his Excellency to the Houfe of Burgeffes in anfwer to their Addrefs

Gentlemen

Being a little Surprized . . . . . [See J. of H. of B., pp. 170-1.]

Then the Council adjourned till *Munday* morning 10 aclock

Munday November the 26th 1705

prefent

EDM^D JENINGS, Dudley Digges, Robert Carter Efq^rs, *James Blair* Com^ry, *Philip Ludwell, Henry Duke* Efq^rs

A meffage to the Council from the Houfe of Burgeffes by M^r *Wm Randolph* & others who brought the following Bills paft by the Houfe *viz* A bill Ent *an Act for eftablifhing the General Court, and for regulating & fettling the proceedings therein* A bill Entituled *an Act concerning publick Claims.* A bill Ent *an Act concerning the Collection of the publick & County Levys & for the better payment of ye fame to the refpective Creditors therein concerned.* A bill Entituled *an Act againft Stealing Hoggs.* A bill Entituled *an Act for prevention of trefpaffes by unruly horfes Cattle, hoggs, Sheep and Goats [and] by taking away Boats & Canoes* A bill Ent *an Act giving a Reward for killing of wolves.* & a Bill Entituled *an Act to prevent killing Deer at unfeafonable times.* To which they defire the concurrence of the Council.

And then the Council adjourned till to morrow morning 9 aclock.

Tuefday November 27th 1705

prefent

EDM^D JENINGS, Dudley Diggs, Robt Carter Efq^rs, *Ja: Blair* Com^ry, *Philip Ludwell, Wm Baffet & Henry Duke* Efq^rs

A bill Ent *an Act for Attorneys profecuting Suits on behalf of perfons out of the Country to give fecurity for the payment of all fuch Cofts and dammages as fhal be awarded againft them,* Read the third time and paffed without amendment

And then the Council adjourned till to morrow morning 9 aclock.

Wednefday

Wednesday November ye 28th 1705

Prefent

EDMUND JENINGS, Dudley Digges, Robert Carter Efq^rs^, Mr Com^ry^ *Blair, Philip Ludwell, Wm Baffet & Henry Duke* Efq^rs^

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Robert Beverley* and others who brought Mr *Treaſurers* acco^ts^ of the Impoſitions on Liquors Serv^ts^ & Slaves paſt by the Houſe, together with ſeveral Reſolves for certain allowances to the officers attending this General Aſſembly & others to wch they deſire the Councils concurrence.

Reſolved

That Mr *Treaſurers* Acco^tr^ be paſſed by the Council.

Then the Reſolves of the Houſe of Burgeſſes for payment of the Officers attending this Gen^ll^ Aſſembly were read & agreed to and are as followes

Reſolved

That there be paid . . . . . [See J. of H. of B., p. 173, lines 1-36.]

And then ye Council adjourned till to morrow morning 9 aclock.

Thurſday November the 29th 1705

preſent

EDM^D^ JENINGS, Dudley Diggs, Robert Carter Efq^rs^, *James Blair* Com^ry^, *Philip Ludwell, Wm Baffett & Henry Duke* Efq^rs^

A Meſſage from the Houſe of Burgeſſes to the Council by Mr *Robert Beverley* and others who brought two Reſolves of the Houſe for the defence of the Country together with an order for payment of *Wm Byrd* Efq^r^ his Expences as Agent for this Country in the affair of *New York* to wch they deſire the Councils concurrence.

The Reſolve of the Houſe of Burgeſſes for the defence of the Country was Read & Agreed to as follows

Reſolved

That his Excellency the Governor or the Governor or Commander in cheif of this Dominion for the time being ſhal have full power & authority till the next Seſſion of Aſſembly by and with the advice & conſent of her Majeſtys hon^ble^ Council of State, on any Inſurrection, Incurſion, or Invaſion to levy ſuitable & Competent fforces for the defence of this Dominion, and to diſband y^e^ ſame again, as the occaſion (for which they ſhal be raiſed) ceaſes.

Reſolved

That whatever Forces ſhal be Levyed by vertue of and purſuant to the foregoing Reſolve ſhal be paid by the publick at the next Seſſion of the Gen^ll^ Aſſembly.

Then the Order for paying *Wm Byrd* Efq^r^ his Expences as Agent for this Country was read & agreed to as followes

Ordered

That there be paid unto *William Byrd* Efq^r^ out of the publick moneys in Mr *Treaſurers* hands the Sum of Six pounds ſeventeen ſhillings & Six pence, for ſo much by him expended as Agent for this Country in the affair of *New York*.

Philip Ludwell Efq^r^ from the Com^tee^ appointed to Conſider what further directions are neceſſary to be given concerning the finiſhing the Capitol & other publick Buildings Reported their proceedings in the matter to them referred wch he read in his place and then delivered in at the Table.

A

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Miles Cary* & others who brought ſevll Reſolves concerning the Capitol to wch they deſire the Councils concurrence, wch reſolves are as followeth *viz.*

Reſolved

That Mr *Henry Cary* the Overſeer of the building. of the Capitol & ye ſeveral workmen employed about ye ſame be on *Wedneſday* next diſcharged

Reſolved

That the two Houſes and all goods & Materials now in the poſſeſſion of Mr *Henry Cary* belonging to the Country remain as they now are undiſpoſed of, except the three Negro Slaves, wch the ſaid *Cary* is to be poſſeſſed of according to a Reſolve of the Aſſembly at the laſt Seſſion

Reſolved

That the four Maſter Keys to ye Locks of the Capitol in ye hands of Mr *Henry Cary*, Mr *Wm Robinſon* & Mr *Charles Chiſwell* be called in & deſtroyed

And the ſaid Reſolves were read and agreed to with this amendment, *viz* That at ye end of the 2d line of the firſt Reſolve after the word [diſcharged] be added [untill the next Meeting of the Aſſembly]*

Ordered

That the Clerk of the Genll Aſſembly Carry to the Houſe of Burgeſſes the Reſolves concerning the Capitol, and acquaint them that the Council have agreed thereto with an amendment, and that they think it further neceſſary that ſome perſon be appointed to take care of the Countrys houſes and materials left therein untill further directions be given at the next meeting of the Aſſembly.

And then the Council adjourned till to morrow morning 9 aclock

---

Friday November the 30th 1705

preſent

EDMD *JENINGS, Dudley Diggs* Eſqrs, Mr Comry *Blair, Philip Ludwell, William Baſſet & Henry Duke* Eſqrs

The Council mett and according to Leave from his Excellcy adjourned till the 24th of *April* 1706.

Examined ℔

Wil Robertſon Cl Con

* The brackets uſed in this paragraph are in the original.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1412, pp. 945-727.]

At a General Aſſembly begun and held at her Majeſty's Royal Capitol the 23d day of *October* 1705 and continued by adjournment to the 24th day of *April* 1706 in the 5th year of the Reign of our Soveraign Lady *Anne* by the Grace of God of *England, Scotland France* and *Ireland* Queen Defender of the faith &c

---

[*April* the 24th, 1706.]

Preſent

EDMUND JENINGS, *John Lightfoot, Dudley Digges, Benja Harriſon, Robert Carter, John Cuſtis* Eſqrs, Mr Comry *Blair, Philip Ludwell, Wm Baſſett, Henry Duke & William Churchill* Eſqrs

The Council mett and adjourned till to morrow morning 10 aclock

---

Thurſday April the 25th 1706

Preſent

THE ſame as yeſterday

The buſineſs of the General Court having taken up the greateſt part of the day. The Council adjourned till to morrow morning 10 aclock

---

Friday April the 26th 1706

Preſent

HIS Excellency *Edward Nott* Eſqr &c and The ſame Council as yeſterday

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that his Excellency commands their immediate attendance on him in the Council chamber.

The Houſe of Burgeſſes being come to attend his Excellency,

His Excellency was pleaſed to make the following Speech,

Gentlemen

The cauſes which obſtructed . . . . . [See J. of H. of B., 1702/3-1712, p. 177.]

And then Mr *Speaker* having applyed himſelf to his Excellency for a copy of his Speech and obtained ye Same, The houſe of Burgeſſes withdrew

Ordered

That the Clerk of the General Aſſembly carry to the houſe of Burgeſſes her Majties Letter recommending the building a houſe for the Governor wch was referred to in his Excellencys Speech.

The petition of *Peter Paſquier* praying for Naturalizacon read and referred to the conſideracon of the Houſe of Burgeſſes.

And then the Council adjourned till to morrow morning 10 aclock.

Saturday

Saturday 27th *April* 1706

prefent

EDMUND JENINGS, *Benj*ª *Harrifon, John Cuftis* Efqrs, *Ja*· *Blair* Comry, *Philip Ludwell, W*m *Baffett, Henry Duke* & *W*m *Churchill* Efqrs

A bill Entituled *an Act concerning publick Claimes* read the firft time and Ordered a Second reading

A bill Entituled *an Act giving a Reward for killing of Wolves* read the firft time and Ordered a fecond reading.

Robert Carter Efqr prefent

A bill Entituled *an Act to prevent killing Deer at unfeafonable times* read the firft time and ordered a Second reading.

And then the Council adjourn'd till *Munday* morning 10 aclock

---

Munday April the 29th 1706

prefent

EDMUND JENINGS, *Jn*º *Lightfoot, Benj*ª *Harrifon, Rob*t *Carter, Jn*º *Cuftis* Efqrs, *Ja Blair* Comry, *Ph: Ludwell* and *W*m *Churchill* Efqrs

The General Court having fate late. The Council adjourned till to morrow morning 10 aclock.

Tuefday April ye 30th 1706

Prefent

HIS Excellency, *Edm*d *Jenings, Jn*º *Lightfoot, Dudley Diggs, Benj*ª *Harrifon, Robert Carter, Jn*º *Cuftis* Efqrs, Mr Comry *Blair, Philip Ludwell* & *W*m *Churchill* Efqrs

A meffage from the houfe of Burgeffes to his Excellency by Mr *Robert Beverley* and others who acquainted his Excellency that they were commanded to wait on him with the proceedings of the Houfe of Burgeffes towards building a houfe for the Governor, and deferved [defired] that his Excellency would be pleafed to cauſe a draught of fuch a Houfe as by him ſhal be thought moſt convenient to be laid before the Houfe of Burgeffes.

A meffage to the Council by Mr *Robert Beverley* and others who delivered a Refolve of the Houfe of Burgeffes upon the petiçon of *peter Paſquier* referred by the Council to ye conſideration of that Houfe.

Which Refolve being read was agreed to as follows

Refolved

That His Excellency the Governor is already ſufficiently impowered by Law to Naturalize the ſaid *peter Paſquier* upon his taking ye Oaths to her Majeſty as by law is enjoined in ſuch Caſes.

And then the Council adjourned till to morrow morning 9 aclock.

Wedneſday May the firſt 1706

prefent

HIS Excellency and the ſame Council as yeſterday

Ordered

That the Clerk of the General Aſſembly carry the following meſſage from his Excellency to the Houſe of Burgeſſes in anſwer to their meſſage ſent yeſterday concerning the Governors houſe.

Gentlemen

Your hearty . . . . . [See J. of H. of B., p. 181.]

And then the Council (that they might attend the buſineſs of the General Court) adjourn'd till to morrow morning 10 aclock

Thurſday

Thurſday May the 2d 1706

preſent

EDMD JENINGS, Jn° Lightfoot, Dudley Diggs, Benj° Harriſon, Robt Carter, Jn° Cuſtis Eſq^rs, Mr Com^ry *Blair* and *Wm Churchill* Eſq^r

A bill Entituled *an Act ag^t Stealing Hoggs* read the firſt time and ordered a ſecond reading

And then ye Council adjourned till to morrow morning 10 aclock.

Friday May the 3d 1706

preſent

EDMUND JENINGS, Jn° Lightfoot Eſq^rs, Mr Com^ry *Blair, Philip Ludwell* and *Wm Churchill* Eſq^rs

A propoſition from *King* and *Queen* County for making Milldams and bridges paſſable for Carts read and referred to ye conſideration of ye Houſe of Burg^s

A Grievance from *King* and *Queen* County concerning the bounds between that County and *Eſſex* read and Referred to ye conſideration of the Houſe of Burg^s

The petition of Major *Arthur Allen* praying allowance for laying out y^e *Nattoway* Indians land purſuant to the act of Aſſembly read and referred to ye conſideration of the Houſe of Burgeſſes.

And then ye Council adjourned till to morrow morning 9 aclock.

Saturday May the 4th 1706

preſent

EDMD JENINGS, John Lightfoot Eſq^rs, *James Blair* Com^ry, *Philip Ludwell & Wm Churchill* Eſq^rs

The Grievances of *princeſs Anne* County read and Referred to ye conſideracõn of the houſe of Burgeſſes.

The peticõn of *John Redwood* for his Sallary as Keeper of ye publick Goal & the peticon of *Jn° Redwood* for allowance for entertaining 12 Indians two days were Severally read and referred to ye conſideration of the houſe of Burgeſſes

An acco^t of Mr *Cary* for ſeveral Expences about ye Capitol Read & Referred to ye conſideration of the houſe of Burgeſſes.

And then the Council adjourned till *Munday* morning 9 aclock.

Munday May 6th 1706

preſent

JOHN CUSTIS Eſq^r, Mr Com^ry *Blair, Philip Ludwell, Henry Duke & Wm Churchill* Eſq^rs

A bill Entituled *an Act concerning the Collection of the publick & County Levys & for the better payment of the ſame to the reſpective Cred^rs therein concern'd* Read the firſt time and Ordered a 2d reading.

A bill Entituled *an Act for prevention of Treſpaſſes by unruly horſes, Cattle, hoggs Sheep and Goats and by taking away Boats and Canoes* read the firſt time and Ordered a 2d reading.

A bill Entituled *an Act for eſtabliſhing the General Court and for regulating & ſettling the proceedings therein*, Read the firſt time and Ordered a ſecond reading.

Philip Ludwell Eſq^r abſent. & *Edm^d Jenings & John Lightfoot* Eſq^rs preſent

A bill Entituled *an Act againſt Stealing hoggs* read the ſecond time and Committed for amendments.

A

A bill Entituled *an Act to prevent killing Deer at unſeaſonable times* read ye 2^d time and ordered a third reading.

A bill Entituled *an Act giving a Reward for killing of Wolves* read ye 2^d time and Ordered a third reading.

A bill Entituled *an Act concerning publick Claims* read ye 2^d time and ordered a third reading

A bill Entituled *an Act for aſcertaining the Gage of Barrells for pork, beef, Tarr and pitch* read the 2^d time and ordered a third reading.

A bill Entituled *an Act to prevent the Clandeſtine tranſportation or carrying of perſons in debt, Servants and Slaves out of this Colony* read the ſecond time and ordered a third reading.

A bill Entituled *an Act for regulating the Election of Burgeſſes for ſettling their priviledges and aſcertaining their allowances* read ye 2^d time and Committed for amendm^t^

And then ye Council adjourned till to morrow morning 9 aclock.

Tueſday May 7th 1706

preſent

EDMUND JENINGS, *Jno Lightfoot, John Cuſtis* Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell, W^m^ Baſſett, Henry Duke* and *Wm Churchill* Eſq^rs^

A bill Entituled *an Act concerning publick Claims* read the 3^d^ time and paſſed without amendment

A bill Entituled *an Act giving a Reward for killing of wolves* read the third time and paſſed without amendment

A bill Entituled *an Act to prevent killing Deer at unſeaſonable times* read the third time, and an Amendment made thereto, wch being thrice read & agreed to

Reſolved

That the Bill with ye amendment do paſs.

Ordered

That the Clk of the General Aſſembly carry the above three bills to the houſe of Burgeſſes and acquaint them that the Council have paſſed two of them without amendment and have made an Amendment to ye other to wch they deſire the concurrence of that houſe.

Preſent His Excellency

Ordered

That the Clerk of the General Aſſembly carry the following written meſſage from his Excellency to the houſe of Burgeſſes

*M^r^* Speaker *and Gentlemen of the Houſe of Burgeſſes*

Captain *Thompſon* . . . . . [See J. of H. of B., pp. 184-185.]

His Excellency abſent

A meſſage from the Burgeſſes to ye Council by Mr *Peter Beverley* & others who brought a Bill Entituled *an Act for ſettling the Militia* and a Bill Ent^d^ *An Act concerning Tithables* to wch they deſire the Councils concurrence

A bill Ent^d^ *an Act for ſettling the Militia* read ye firſt time and ordered a Second reading

A bill Ent^d^ *an Act concerning Tithables* read the firſt time and ordered a ſecond reading.

A bill Ent^d^ *an Act ag^t^ Stealing hoggs* being amended was read ye third time with ye amendm^t^

Reſolved

That the Bill with ye amendments do paſs.

Ordered

That ye Clerk of the Gen^ll^ Aſſembly carry the ſaid bill to ye Houſe of Burgeſſes and deſire their concurrence to ye Councils amendments thereto.

And then ye Council adjourned till tomorrow morning 9 aclock

Wedneſday

Wedneſday May the 8th 1706

Preſent

EDM^{D} *JENINGS, Benj^{a} Harriſon, Jno Cuſtis* Eſq^{rs}, Mr Com^{ry} *Blair, Philip Ludwell, W^{m} Baſſett & Henry Duke* Eſq^{re}

A bill Ent^{d} *an Act for aſcertaining the Gage of Barrells for pork, beef, tarr & pitch* read the 3^{d} time and paſt without amendment

Jno Lightfoot Eſq^{r} preſent

A bill Entituled *an Act to prevent the clandeſtine tranſportacon or carrying of perſons in debt, Servants and Slaves out of this Colony* read the third time and paſſed without amendment.

Wm Churchill Eſq^{r} preſent

A bill Entituled *an Act for encouragement of the Land Frontiers* read the third time with ye amendments

Reſolved

That ye Bill with the amendm^{ts} do paſs.

Jno Lightfoot Eſq^{r} abſent

A bill Entituled *an Act for ſettling the Militia* read y^{e} ſecond time and committed for amendments.

A meſſage from the Burgeſſes to ye Council by Mr *Robert Beverley* and others acquainting their Hon^{rs} that ye houſe of Burgeſſes upon conſideration of his Excell^{cy} meſſage on the unfortunate news of the ſpoils committed by the *ffrench* in the *Weſt Indies* deſire a Conference with ye Council on ye Subject matter of the ſaid meſſage.

Reſolved

That *Edm^{d} Jenings, Benj^{a} Harriſon, Jno Cuſtis* and *Philip Ludwell* Eſq^{rs} be Appointed to manage the Conference with the Burgeſſes on ye Subject matter of his Excell^{cys} meſſage ſent to the houſe yeſterday.

Ordered

That ye Clerk of the Genl Aſſembly acquaint the houſe of Burgeſſes that the Council agree to the Conference deſired by that houſe and have appointed four of their members to manage the ſ^{d} Conference who will be ready immediatly in the Conference Room.

And then the managers went to ye Conference. And being returned Mr Secry *Jenings* Reported that they had mett the Burgeſſes and diſcourſed of ſev^{ll} matters for the defence of the Country, but that ye Burgeſſes having no further power than to adviſe & diſcourſe on the methods proper to be taken in this conjuncture, were returned to their Houſe to report what had been propoſed and debated.

A petiᶜon of *Rebecca penkethman* widow praying leave to bring in a Bill for ye Sale of part of the lands of her deceas'd huſband for payment of his debts Read and Referred to ye conſideration of the houſe of Burgeſſes

And then the Council adjourned till to morrow morning 9 aclock.

Thurſday May 9th 1706

preſent

EDMUND JENINGS, *Jno Lightfoot, Benj^{a} Harriſon, Jno Cuſtis* Eſq^{rs}, Mr Com^{ry} *Blair, Philip Ludwell, W^{m} Baſſett, Wm Churchill* Eſq^{re}

Ordered

That *Dudley Diggs* and *Henry Duke* Eſq^{rs} be excuſed from attending the Council while they are imployed in ſettling the late Mr Aud^{r} *Byrds* acco^{ts}

A bill Entituled *an Act for regulating the Elections of Burgeſſes for Settling their priviledges and aſcertaining their allowances.* read ye third time with ye amendments

Reſolved

That ye bill with ye amendm^{ts} do paſs

A

A bill Entd *an Act for Settling the Militia* read the third time with the amendmts

Reſolved

That the bill with ye amendmts do paſs

Ordered

That the Clk of the Genll Aſſembly carry the fd bills with thoſe paſſed yeſterday to the houſe of Burgeſſes and deſire their concurrence to the amendmts made thereto by the Council

A bill Entituled *an Act concerning the collection of the publick and County Levys and for the better payment of ye ſame to the reſpective Creditors therein concerned* read ye ſecond time and Ordered a third reading

A bill Entituled *an Act for prevention of Treſpaſſes by unruly horſes Cattle hoggs, Sheep and Goats and by taking away Boats and Canoes* read ye 2d time and Committed for amendments.

His Excellency preſent

A meſſage to his Excellency from the Houſe of Burgeſſes by Mr *Wm Randolph* and others who brought the following proceedings of the houſe in anſwer to his Excellcys meſſage concerning the Spoils committed by the *ffrench* in the *Weſt Indies*

"*May it pleaſe Yor Excellency*

"Having taken . . . . . [See J. of H. of B., p. 187.]

His Excellcy abſent

A bill Entituled *an Act concerning Tithables* read ye 2d time & ordd a third reading

A bill Entituled *an Act for eſtabliſhing the Genll Court and for regulating and Settling the proceedings therein* read ye ſecond time and Committed for amendments.

And then ye Council adjourned til to morrow morning 9 aclock.

Thurſday [*Friday*] *May* the 10th 1706

Preſent

EDMUND JENINGS, *John Lightfoot, Dudley Digges, Benja Harriſon, Jne Cuſtis* Eſqrs, Mr Comry *Blair, Philip Ludwell, Wm Baſſett, Henry Duke & Wm Churchill* Eſqrs

A bill Entituled *an Act concerning Tithables* being offerred for a third reading Some amendments were propoſed to be made thereto, wch being admitted and ye ſd amendmts twice read,

The bill with the amendmts was read the third time

Reſolved

That the bill with ye amendments do paſs.

A bill Entituled *an Act for preventing Treſpaſſes by unruly horſes, Cattle hogs ſheep and Goats and by taking away boats and Canoes* read ye 3d time with the amendmts and ye queſtion be [being] put that the amendmts be added to the bill

It paſſed in the Negative

Reſolved

That the Bill be paſſed without amendment

A bill Entituled *an Act concerning the Collection of the publick and County Levys and for payment of the ſame to the reſpective Creditors therein concern'd* Read the third time and paſſed without amendment

A bill Entituled *an Act for eſtabliſhing the General Court and for regulating and Settling the proceedings therein* Read the third time with ye amendmts

Reſolved

That the Bill with the amendments do paſs.

Ordered

That the Clerk of the General Aſſembly carry the aforeſaid Bills to the Houſe of Burgeſſes and deſire their concurrence to ſuch amendmts as are made thereto by the Council.

A

A meſſage from the houſe of Burgeſſes to ye Council by Mr *Miles Cary* & others who brought the following Bills *viz* a Bill Entituled *an Act concerning Servants and Slaves*, A bill Entituled *an Act for making, Clearing and repairing the high ways and for clearing the Rivers and Creeks*. A bill Entituled *an Act for the more ſpeedy and eaſy proſecution of Slaves committing Capital Crimes*. A bill Entituled *an Act concerning Marriages*. A bill Entituled *an Act concerning Waiſts and Strays*, and a bill Ent^d^ *an Act for regulating Ordinarys for reſtraint of tipling houſes*, to wch they deſire the Councils concurrence.

And then the Council adjourn'd till to morrow morning 9 aclock.

Saturday May 11th 1706

preſent

EDM^D^ *JENINGS, Benj^a^ Harriſon, John Cuſtis, Henry Duke* and *Wm Churchill* Eſq^rs^

A bill Entituled *an Act concerning Waiſts and Strays* read the firſt time and Ordered a ſecond reading.

A bill Entituled *an Act concerning marriages* read the firſt time and ordered a Second reading.

A bill Entituled *an Act for the Speedy and eaſie proſecution of Slaves committing capital Crimes* read the firſt time and ordered a ſecond reading.

A bill Entituled *an Act for making Clearing and repairing the highways and for Clearing the Rivers and Creeks* read ye firſt time and ordered a ſecond reading

A bill Entituled *an Act for regulating Ordinarys and reſtraint of tippling houſes* Read the firſt time, and ordered a ſecond reading

A bill Entituled *an Act concerning Servants and Slaves* read the firſt time and Ordered a Second reading.

Jno Lightfoot, Dudley Diggs Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell & William Baſſett* Eſq^rs^ Preſent

A meſſage from the houſe of Burgeſſes to the Council by Mr *William Randolph* and others acquainting their Hon^rs^ that the houſe had agreed to ye amendm^ts^ made by their Hon^rs^ to y^e^ ſeveral following bills and had inſerted them therein *viz* to the Bill for limitation of actions and avoiding of Suits the bill concerning Jurys, the Bill to prevent killing Deer at unſeaſonable times the Bill declaring who ſhal not bear Office in this Country, the Bill for regulating the election of Burgeſſes for ſettling their priviledges and aſcertaining their allowances, and to ye bill for Eſtabliſhing the General Court & for regulating and ſettling the proceedings therein.

And the ſaid Bills being Examined,

Ordered that the Clerk of the General Aſſembly return them to the houſe of Burgeſſes and acquaint them that ye Council have paſſed y^e^ ſame as amended.

A meſſage from the houſe of Burgeſſes to the Council by Mr *Peter Beverley* and others, that the houſe had agreed to their amendm^ts^ made to the bill Ent^d^ *an Act preſcribing the method of appointing Sherifs & Limiting the time of their continuance in office and directing their duty therein* with a ſmall amendment to wch they deſire the concurrence of ye Council.

Reſolved

That the amendm^t^ propoſed by the Burgeſſes to the Councils amendm^t^ to the i^d^ Bill be agreed to

Ordered

That the Clk of the General Aſſembly carry back y^e^ ſ^d^ bill to ye houſe of Burgeſſes and acquaint them that ye Council agree to ye amendm^t^ propoſed by them.

A meſſage from the houſe of Burgeſſes to the Council by Mr *Miles Cary* and others that the Houſe had agreed to the amendm^ts^ made by their Hon^rs^ to the bill Entituled *an Act declaring how long Judgements, Bonds obligaçons and Acco^ts^ ſhal be pleadable, &^c^* and had inſerted them therein.

And

And the amendments being compared With ye bill

Ordered, that the Clk of the Gen^ll^ Aſſembly return the ſ^d^ bill to ye Houſe of Burg^s^ and acquaint them that ye Council have paſſed y^e^ ſame as amended.

His Excellency preſent

Ordered

That the Clerk of the General Aſſembly carry the following meſſage in writing from his Excellency and the Council to the Houſe of Burgeſſes

*M^r^* Speaker *and Gent of the Houſe of Burgeſſes*

His Excellency and the Council having . . . . . [See J. of H. of B., p. 191.]

A petition of *Richd Ligon* praying allowance for laying out five thouſand and fourty acres of Land for the *French* Refugees at *Manicantown* read and referred to the conſideration of the houſe of Burgeſſes

His Excellency preſent

A meſſage from the Burgeſſes to ye Council by Mr *Robt Beverley* & others that the Houſe had agreed to part of the amendments made by their Hon^rs^ to the Bill Entituled *an Act ag^t^ Stealing hoggs* and to the reſt of the amendm^ts^ they could not agree, and therefore deſire the Council to paſs the bill w^th^out them.

Reſolved

That the Council do not inſiſt on ſo much of their amendm^ts^ to y^e^ ſ^d^ bill as are diſagreed to by the houſe of Burgeſſes.

A meſſage to the Council from the Houſe of Burgeſſes by Mr *Peter Beverley* and others that the Houſe had agreed to part of the amendm^ts^ made by their Hon^rs^ to the Bill Ent^d^ *an Act concerning Tithables*, and to ye reſt they could not agree, and therefore deſire that the Council will paſs the Bill without them.

Reſolved

That the Council do not inſiſt on ſo much of y^e^ ſaid amendments as are diſagreed to by the houſe of Burgeſſes.

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry the two laſt mentioned Bills to the Houſe of Burgeſſes and acquaint them that the Council are content to paſs y^e^ ſame without ye addition of ſo much of their amendm^ts^ as that houſe have diſagreed to.

And then ye Council adjourn'd till *Munday* morning 9 aclock.

Munday May 13th 1706

preſent

EDMUND JENINGS, Benj^a^ Harriſon, Robert Carter Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell, Wm Churchill* Eſq^rs^

A Memorial of Coll^o^ *Fitzhugh* for Leave to keep a ferry over *Potomack* between *Virginia* and *Maryland* Read and referred to ye conſideracõn of the Houſe of Burgeſſes.

A bill Entituled *an Act for making, Clearing and repairing the highways and for Clearing the Rivers and Creeks* read ye 2^d^ time and Committed for amendm^ts^

A bill Entituled *an Act for the more eaſy proſecution of ſlaves committing Capital Crimes* read y^e^ ſecond time and Ordered a third reading.

A bill Entituled *an Act concerning marriages* read the ſecond time and Committed for amendments

A meſſage to the Council from the Houſe of Burgeſſes by Mr *Richd Bland* and others who brought the Bill Entituled *an Act concerning Tithables* and ye Bill Ent^d^ *an Act ag^t^ Stealing hogs* and acquainted their Hon^rs^ that the Houſe had inſerted ye amendments in the ſaid Bills as agreed unto by their Hon^rs^

A bill Entituled *an Act for regulating Ordinarys and reſtraint of tippling houſes* read the Second time and Committed for amendments.

A bill Entituled *an Act concerning Waiſts and Strays* read the 2^d^ time and an amendment made thereto, and ordered to be read a third time

And then ye Council adjourn'd till to morrow morning 8 aclock.

Tueſday

Tuesday May the 14th 1706

prefent

EDMUND JENINGS, Dudley Digges, Benja Harrifon, Robert Carter Efqrs, *James Blair* Comry, *Philip Ludwell* and *Wm Churchill* Efqrs

A Bill Entituled *an Act concerning Waifts and Strays* read the third time with the amendments

Refolved

That the Bill with ye amendments do pafs.

A bill Entituled *an Act for the Speedy and eafie profecution of Slaves committing Capital Crimes* read the third time and paffed without amendment.

A bill Entituled *an Act for regulating Ordinarys and reftraint of tippling houfes* read the third time with the amendments

Refolved

That the bill with the amendments do pafs,

A meffage from the houfe of Burgeffes to ye Council by Mr *Bland* and others that the Houfe had inferted the amendments in the Bill Entituled *an Act preferibing the method of appointing Sherifs and limiting the time of their continuance in office and directing their duty therein* according as they had been agreed unto by their Honrs and that houfe.

Ordered, that the Clerk of the Genll Affembly Return ye faid Bill with the Bill concerning Tithables to the houfe of Burgeffes and acquaint them that ye Council have paffed ye fame as amended.

John Lightfoot & Henry Duke Efqrs prefent

A bill Entituled *an Act for making, Clearing, and repairing the high ways and for Clearing the Rivers and Creeks* read the third time with ye amendments

Refolved

That the Bill with the amendments do pafs

Ordered

That the Clerk of the Genll Affembly carry to the houfe of Burgeffes the feveral bills paffed this day by the Council, and acquaint them that the Council defire their concurrence to fuch amendments as are propofed by their Honrs to ye fd Bills.

A meffage from the Burgeffes to ye Council by Mr *William Edwards* and others who brought the following bills paffed by the houfe *Viz* a bill Entituled *an Act for fettling and afcertaining the current rates of forreign Coins in this Dominion.* A bill Entd *an Act for encouragement of building Water Mills.* A bill Entituled *an Act directing the manner of Levying Executions, and for relief of poor prifoners for Debt,* to which they defire the Councils concurrence.

The feveral petitions of the Veftry of *James City* parifh and of the Inhabitants of the Lower part of *Wilmington* parifh Read and referred to ye confideracon of the houfe of Burgeffes

And then the Council adjourned till to morrow morning 8 aclock.

Wednefday May 15th 1706

prefent

JNO LIGHTFOOT, Dudley Digges, Benja Harrifon, Robt Carter Efqrs and *James Blair* Comry

A bill Entd *an Act for Settling and afcertaining the current Rates of forreign Coines in this Dominion*, read the firft time and ordered a Second reading

A bill Entituled *an Act for encouragement of building Water Mills* read ye firft time and Ordered a Second reading.

A Bill Entituled *an Act directing the manner of Levying Executions and for Relief of poor prifoners for debt* read the firft time and ordered a fecond reading

Wm Baffet & Henry Duke Efqrs prefent

A meffage from the houfe of Burgeffes to ye Council by Mr *Peter Beverley* & others who brought the Bill Entituled *an Act for improving y Staple of tobacco and for regulating the*

the Size and Tare of tobacco hogſh^ds, and acquainted their Hon^rs that the houſe had agreed to part of the amendm^ts propoſed by them to ye f^d bill, and to others they cannot agree, and therefore deſire their Hon^rs will be pleaſed not to inſiſt any further on y^e ſaid amendm^ts ſo diſagreed to

Edm^d Jenings Eſq^r preſent

A bill Entituled *an Act concerning Servants and Slaves* read the ſecond time, & Committed for amendm^ts

A bill Entituled *an Act concerning Marriages* read the third time with ye amendments

Reſolved

That the Bill with the amendments do paſs.

Ordered

That the Clerk of the Gen^ll Aſſembly carry the ſaid Bill to the houſe of Burgeſſes and deſire their concurrence to ye amendm^ts made thereto by ye Council

And then ye Council adjourn'd till to morrow morning 8 aclock.

Thurſday May 16th 1706

preſent

EDMUND JENINGS, *John Lightfoot, Benj^a Harriſon* Eſq^rs, Mr Com^ry *Blair, Philip Ludwell, W^m Baſſett & Henry Duke* Eſq^rs

A bill Ent^d *an Act concerning the Church Clergy and other parochial affairs* Read the third time with ye amendments

Reſolved

That the Bill with the amendments do paſs

Ordered, that the Clerk of the Gen^ll Aſſembly carry ye f^d bill to ye houſe of Burgeſſes and deſire their concurrence to the amendments made thereto by ye Council

A bill Entituled *an Act ſettling and aſcertaining the Current Rates of forreign Coines in this Dominion* Read ye 2^d time and Committed for amendm^ts

Robert Carter Eſq^r preſent

A Bill Entituled *an Act for encouragement of building Water Mills* read y^e ſecond time and an Amendment made thereto,

Ordered

That the Bill with the amendm^t be read a third time

And then the Council adjourn'd till to morrow morning 9 aclock.

Tueſday [*Friday*] *May* the 17th 1706

preſent

EDMUND JENINGS, *Benj^a Harriſon, Robt Carter* Eſq^rs, *James Blair* Com^ry, *Philip Ludwell, W^m Baſſett & Henry Duke* Eſq^rs

A bill Entituled *an Act for ſettling and aſcertaining the Current rates of forreign Coines in this Dominion* read the third time with the amendments

Reſolved

That the bill with the amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to ye Houſe of Burgeſſes and acquaint them that ye Council have paſſed y^e ſame with ſome amendm^ts to wch they deſire the concurrence of that Houſe.

The

The Council having taken into conſideration the amendm^ts^ made by them to ye Bill Entituled *an Act for improving the Staple of Tobacco, and for aſcertaining the Size and Tare of tobacco hogſhds*, wch the houſe of Burgeſſes have diſagreed to,

Reſolved

That ye Council do not inſiſt on ſo much of their amendm^ts^ as are diſagreed unto by the houſe of Burg^s^

Ordered

That ye Clk of the Gen^ll^ Aſſembly Carry the ſaid bill to ye houſe of Burgeſſes and acquaint them therewith.

A bill Entituled *an Act for the encouragement of building Water mills* read ye third time with ye amendments

Reſolved

That the Bill with ye amendm^t^ do paſs

A Bill Entituled *an Act concerning Servants and Slaves* read ye third time with the amendm^ts^

Reſolved

That ye bill with ye amendm^ts^ do paſs.

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry the ſaid Bills to ye Houſe of Burgeſſes and acquaint them that the Council have paſſed the ſame with ſeveral amendments to wch they deſire the concurrence of that houſe.

A petic̃on of *Miles Cary Wm Buckner & Wm Robertſon* Attorneys of Coll^o^ *Francis Nicholſon* praying that directions may be given for Conveying the Country houſes to the ſ^d^ Coll^o^ *Nicholſon* according to an Ordinance of Aſſembly read & refer'd to ye conſideration of the houſe of Burg^s^

And then the Council adjourned till to morrow morning 8 aclock.

Saturday May 18th 1706

preſent

EDMUND JENINGS, John Lightfoot, Benj^a^ Harriſon, Robt Carter Eſq^rs^. *James Blair* Com^ry^, *Philip Ludwell, W^m^ Baſſett, Henry Duke* Eſq^rs^

A bill Entituled *an Act directing the manner of Levying executions and for relief of poor priſoners for debt*, read the 2^d^ time, and an amendm^t^ being made thereto,

Ordered, that ye bill with ye amendm^t^ be read a third time.

A meſſage from the Burgeſſes to the Council by Mr *Miles Cary* & others who brought a Bill Entituled *an Act for laying an Impoſition on Liquors & Slaves* to wch they deſire the concurrence of the Council.

A petition of *Edward Creekmore* and others complaining of encroachments made by the Officers of the Governm^t^ of *Carolina* in exacting Quittrents of them tho they hold their Land by patents from *Virginia*, Read and Referred to ye conſideracon of the Houſe of Burgeſſes.

A bill Entituled *an Act for laying an Impoſition upon Liquors & Slaves* Read the firſt time and Ordered a Second reading

And then the Council adjourn'd till *Munday* morning 8 aclock

---

Munday May 20th 1706

preſent

EDMUND JENINGS, Robt Carter & James Blair Eſq^rs^

The Council adjourned till to morrow morning 8 aclock

Tueſday

Tuesday May 21st 1706

preſent

DUDLEY DIGGES, Benjᵃ Harriſon, Robᵗ Carter Eſqʳᵉ, *James Blair* Comʳʸ and *Henry Duke* Eſqʳ

A meſſage to yᵉ Council from the houſe of Burgeſſes by Mʳ *Miles Cary* & others who acquainted their Honʳᵃ that yᵉ houſe had agreed to yᵉ amendments propoſed by them to the bill Entituled *an Act concerning marriages*, to the Bill Entᵈ *an Act concerning Waiſts and Strays*, to yᵉ Bill Entᵈ *an Act for encouragement of building water Mills* and to yᵉ Bill Entᵈ *an Act for regulating Ordinarys and reſtraint of tippling houſes*, and that the houſe had alſo inſerted yᵉ amendmᵗˢ made by their Honʳᵉ to yᵉ bill Entᵈ *an Act for improving the Staple of tobacco and for regulating yᵉ Size and tare of tobacco hogſheads* And alſo brought the bill Entᵈ *an Act concerning Servants and Slaves*, and acquainted the Council that the Houſe had agreed to part of their Honʳᵃ amendmᵗᵉ and to part they could not agree, and deſired the Council to paſs yᵉ bill without thoſe amendments

Edmund Jenings & *Jnº Lightfoot* Eſqʳˢ preſent

The amendments made by the Council to the Bill Entituled *an Act concerning Servants and Slaves* being read

Reſolved

That yᵉ Council do not inſiſt on ſo much of the ſaid amendments as are diſagreed unto by the houſe of Burgeſſes

Ordered

That yᵉ Clerk of the General Aſſembly carry back the ſaid bill to the Houſe of Burgeſſes and acquaint them that yᵉ Council do not inſiſt on yᵉ fᵈ Amendments.

Ordered

That the Clerk of the Genˡˡ Aſſembly carry to yᵉ houſe of Burgeſſes the ſeveral bills ſent up this day from the Burgeſſes and acquaint them that yᵉ Council have paſſed yᵉ ſame as amended.

A bill Entituled *an Act directing the manner of Levying Executions and for relief of poor priſoners for debt* read the third time with yᵉ amendmᵗᵃ

Reſolved

That yᵉ bill with yᵉ amendments do paſs.

Ordered

That yᵉ Clk of the Genˡˡ Aſſembly carry the ſaid bill to yᵉ houſe of Burgeſſes and acquaint them that the Council have agreed thereunto with ſome amendments to wᶜʰ they deſire the concurrence of that Houſe

The petiᶜon of *John Holt* praying leave to keep a ferry over *James* River Read and Referred to yᵉ conſideration of the houſe of Burgeſſes

A bill Entituled *an Act laying an Impoſition on Liquors and Slaves* read the 2ᵈ time and ordered to ly on yᵉ table for a third reading.

Ordered

That the Clerk of the Genˡˡ Aſſembly carry the following meſſage from the Council to yᵉ houſe of Burgeſſes

Mʳ Speaker *& Gent. of the houſe of Burgeſſes*

The Council being deſirous . . . . . [See J. of H. of B., p. 199.]

And then yᵉ Council adjourned till to morrow morning 8 aclock.

Wednesday May 22d 1706

preſent

EDMᴰ JENINGS, Jnº Lightfoot, Dudley Digges, Benjᵃ Harriſon, Robᵗ Carter Eſqʳᵉ, *James Blair* Comʳʸ, *Philip Ludwell, Wᵐ Baſſett* and *Henry Duke* Eſqʳ

A meſſage to the Council from the Houſe of Burgeſſes by Mʳ *Miles Cary* and others deſiring a Conference with their Honʳᵃ on yᵉ Subject matter of their laſt meſſage.

Reſolved

Reſolved

That ye Council do agree to ye Conference deſired by the Burgeſſes, and *Benj^a^ Harriſon* Eſq^r^ *Robt Carter* Eſq^r^ & Mr Com^ry^ *Blair* were appointed Managers

Ordered

That the Clerk of the General Aſſembly go to ye houſe of Burgeſſes and acquaint them that the Council agreed to the Conference deſired by that houſe on ye Subject matter of the Councils laſt meſſage, and have appointed three of their members to meet ſuch a number of Burgeſſes as that houſe ſhal think fitt and that ye managers for the Council are now ready in the Conference Room.

His Excellency preſent

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry the following meſſage from his Excellency to the Houſe of Burgeſſes,

Gentlemen

The danger that threatned us from the power of . . . . . [See J. of H. of B., pp. 200-1.]

And then ye Council adjourned till to morrow morning 8 aclock.

Thurſday May 23^d^ 1706

preſent

EDM^D^ JENINGS, Jno Lightfoot, Dudley Digges, Benj^a^ Harriſon, Robert Carter Eſq^rs^, *Ja Blair* Com^ry^, *Philip Ludwell, W^m^ Baſſett & Henry Duke* Eſq^rs^

A meſſage to the Council from the Burgeſſes by Mr *Robt Beverley* and others who brought the Bill Entituled *an Act for ſettling and aſcertaining the Current rates of forreign Coines in this Dominion* and acquainted their Hon^rs^ that the houſe diſagreed to all their amendm^ts^ to y^e^ ſ^d^ Bill and deſired that the Bill may be paſſed without them.

Ordered

That the ſaid Bill ly upon the Table.

A petition of *Robert Beverley George Marable & Jno Geddes* Gent^a^ praying a Grant of ye Bricks of the old State houſe at *James town* for building a Court houſe there Read and Referred to the conſideration of the houſe of Burgeſſes.

A meſſage to the Council from the Burgeſſes by M^r^ *Wm Randolph* & others who brought the following Reſolves in anſwer to their Hon^rs^ meſſage concerning an exception in ye bill for laying an Impoſition on Liquors and Slaves, wch Reſolves are as follow.

"*Reſolved*, that leave be given to ye Council to amend the bill for Laying an Impo- "ſition upon Liquors and Slaves according to their meſſage.

"*Reſolved*, that ye amendment propoſed be made in this manner, To witt, by ſtriking "out a proviſo in y^e^ ſaid Bill in theſe words "*Provided nevertheleſs and it is hereby Enacted* "*and declared that no Cuſtom or duty whatſoever ſhal be exacted or paid for Beer of any ſort* "*imported in any ſhip or Veſſell wch ſhal come directly from* England, Wales *or the town of* "Berwick *upon* Tweed, *if the ſame were Laden or put on board to be ſpent in ſuch Ship or* "*Veſſell for the uſe of the Company belonging to her, and upon no other account whatſoever,* "*but that all ſuch Beer ſhal remain & continue exempt and free from any Impoſition duty or* "*Cuſtom impoſed by this act as if this act had never been made.*

And inſerting in ye room thereof a proviſo in theſe words, "provided nevertheleſs "and it is hereby Enacted & declared that no duty or Cuſtom whatſoever ſhal be required "or paid for any of the Liquors before enumerated wch ſhal come directly from *England* "*Wales* or the Town of *Berwick* upon *Tweed*, but that all ſuch Liquors ſhal remain and "continue exempt and free from any Impoſition duty or Cuſtom Levyed or raiſed by "this act as if this act had never been made.

Then

Then the Bill Entituled *an Act laying an Impoſition on Liquors & Slaves* being amended according to ye above Reſolves, the ſaid Bill and amendm^ts^ were read ye third time

Reſolved

That the Bill do paſs.

Ordered

That the Clk of the Gen^ll^ Aſſembly carry y^e^ ſ^d^ bill to the houſe of Burgeſſes, and acquaint them that the Council have inſerted therein the amendments ſent up by that houſe and have paſſed the ſame accordingly.

A meſſage from the Burgeſſes to ye Council by Mr *Robt Beverley* & others who brought the following bills *viz* a bill Ent^d^ *an Act concerning the granting Seating and planting and for Settling the titles and bounds of Lands & for preventing unlawful ſhooting & Ranging thereupon*, and a bill Entituled *an Act directing ye duty of Surveyors of Land & aſcertaining their ffees* to wch they deſire the Councils concurrence.

And then ye Council adjourned till to morrow morning 8 aclock

---

Friday May the 24th 1706

preſent

EDMUND JENINGS, Jno Lightfoot, Benj^a^ Harriſon Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell, W^m^ Baſſett & Henry Duke* Eſq^rs^

A bill Entituled *an Act directing the duty of Surveyors of Land & aſcertaining their fees* read the firſt time and ordered a ſecond reading.

A bill Entituled *an Act concerning the granting, ſeating and planting & for ſettling the titles and bounds of Lands and for preventing unlawful ſhooting and ranging thereupon* read the firſt time and ordered a ſecond reading.

And then ye Council adjourned till to morrow morning 8 aclock

---

Saturday May 25th 1706

preſent

EDMUND JENINGS, Jno Lightfoot, Benj^a^ Harriſon Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell, W^m^ Baſſett & Henry Duke* Eſq^rs^

A meſſage from the Burgeſſes to ye Council by Mr *Robert Beverley* & others who brought 17 Inrolled bills paſſed this Aſſembly and acqted the Council that the Burgeſſes had Examined them, & had ſent them up to their Hon^rs^ for their Satisfaction.

Ordered

That ye Clerk of the Gen^ll^ Aſſembly carry back y^e^ ſ^d^ Bills to ye houſe of Burgeſſes and acquaint them that ye Council have inſpected them & are ſatisfyed they are truly Inrolled.

His Excell^cy^ preſent

Ordered

That ye Clerk of the General Aſſembly go to the houſe of Burgeſſes & acquaint them that his Excell^cy^ commands their immediate attendance on him in the Council Chamber, and that they bring with them ſuch bills as are ready for his Excell^cys^ aſſent.

The Houſe of Burgeſſes attending, Mr *Speaker* addreſſed himſelf to his Ex^cy^ to this effect.

May it pleaſe Yo^r^ Excellency

The Houſe of Burgeſſes do humbly preſent to y^r^ Excell^cy^ ſeveral bills wch have been paſſed by the Council and themſelves, and they pray y^r^ aſſent to them

The firſt is a Bill for laying an Impoſition upon Liquors & Slaves, wch is deſigned for raiſing a Fund to build ſuch a houſe as ſhal be fitt for the reſidence of yor Excell^cy^ and y^r^ Succeſſors the Governors of this Country: This they hope will be accepted as the

the beſt teſtimony they can give of their duty and loyalty to her Majeſty and of their particular reſpect & eſteem for yor Excell^cy, and they likewiſe hope that ſo ſuitable an offering of the firſt fruits of their conſultations will be taken as an earneſt of thoſe endeavors they will always uſe to preſerve a good underſtanding with yor Excellency.

The other bills (Except one) are part of that great work the Reviſal of the whole body of the Laws of this Country, wch having been long in agitation the Succeſs is expected with impatience, and if it be now brought to perfection, the preſent Generation will not only be made happy, but poſterity will for ever celebrate y^r Excellencys name.

Then his Excellency was pleaſed to give his aſſent to the following bills, y^e ſame being Signed as uſual by his Excellency and the Speaker *viz*

An Act for laying an Impoſition on Liquors and Slaves.

An Act for regulating the Elections of Burgeſſes for ſettling their priviledges & aſcertaining their allowances.

An Act preſcribing the method of appointing Sherifs, declaring the time of their continuance in office, and directing their duty therein.

An Act declaring who ſhal not bear office in this Country

An Act againſt importing tobacco from Carolina *and other parts without the Capes of* Virginia

An Act aſcertaining the Gage of Barrells for beef, pork, Tarr and pitch

An Act concerning Tithables

An Act concerning publick Claimes

An Act concerning the Collection of the publick and County Levys and for paying the ſame to the reſpective Cred^rs therein concerned

An Act directing the building and maintaining of priſoners, pillorys whipping poſts, Stocks and Ducking Stools in each County.

An Act for the Speedy and eaſie proſecution of Slaves committing capital Crimes.

An Act to prevent the clandeſtine tranſportation of perſons in debt, Servants & Slaves out of this Country.

An Act concerning Waifts and Strays

An Act ag^t Stealing hoggs

An Act for prevention of Treſpaſſes by unruly horſes Cattle hoggs Sheep & Goats & by taking away Boats and Canoes.

An Act giving a Reward for killing of Wolves. and

An Act for the encouragement of the Land Frontiers.

After which his Excellency was pleaſed to ſay to this effect, That he thanked the Burg^s for the firſt Act preſented to him laying an Impoſition on Liquors and Slaves towards building a houſe for the Governor, that he would not fail to repreſent to her Majeſty the duty and loyalty her Subjects of *Virginia* had ſhowed in ſo readily complying with her Maj^ties commands, and that he thought himſelf particularly obliged to them for carrying on ſo deſired a work in his time, and aſſured them his utmoſt endeavors & intereſt ſhould not be wanting to do the Country Service. That as Mr *Speaker* had obſerved, the Reviſal of the Laws was a work expected with impatience, and he was extremely pleaſed to perceive that they had already proceeded ſo great a length therein and ſhould reckon it as a particular happineſs to ſee the whole completed in ſome ſhort time.

And then the Burgeſſes withdrew

And the Council adjourned till *Munday* morning 9 aclock

Munday May 27th 1706

preſent

EDMUND JENINGS, John Lightfoot, Benj^a Harriſon Eſq^re, *James Blair* Com^ry and *Philip Ludwell* Eſq^r

A bill Entituled *an Act directing the duty of Surveyors of land & aſcertaining their fees*, read ye 2^d time and amended at ye Board.

Ordered

That the bill with the amendments be read a third time

A meſſage from the houſe of Burgeſſes to ye Council by Mr *Miles Cary* & others who brought the bill Entituled *an Act for eſtablishing the County Courts & for regulating and ſettling the proceedings therein & directing the manner of granting probates of Wills and adminiſtrations of Inteſtates Eſtates* and a bill Entituled *an Act for the better ſecuring the Liberty of the Subject*, to which they deſire the Councils concurrence. And alſo brought the Bill Ent^d^ *an Act concerning Servants and Slaves*, and the bill Entituled *an Act directing the manner of Levying Executions and for relief of poor priſoners for debt*, and acquainted the Council that the houſe had inſerted ye amendm^ts^ in ye f^d^ Bills as agreed unto

Then ye amendm^te^ to ye aforeſ^d^ bills being Examined

Ordered

That ye Clerk of the Gen^ll^ Aſſembly carry ye f^d^ bills to ye houſe of Burgeſſes and acquaint them that ye Council have paſſed y^e^ ſame as amended

And then ye Council adjourned till to morrow morning 8 aclock

---

Tueſday May 28th 1706

preſent

EDMUND JENINGS, *John Lightfoot, Dudley Digges, Benj^a^ Harriſon* Eſq^r^ and *James Blair* Com^ry^

A petiĉon of *Edmund Jenings* Eſq^r^ Sec^ry^ praying allowance for 572 Military Commiſſions read and referred to ye conſideration of the houſe of Burgeſſes.

A bill Entituled *an Act directing the duty of Surveyors of Land and aſcertaining their fees*, read the third time with ye amendments

Reſolved

That the bill with ye amendments do paſs

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry the ſaid Bill to the houſe of Burgeſſes, and acquaint them that the Council have agreed thereto with ſome amendments to which they deſire the concurrence of that Houſe.

Philip Ludwell and *Henry Duke* Eſq^r^ preſent

A bill Entituled *an Act for eſtabliſhing the County Courts, and for regulating and Settling the proceedings therein, and directing the manner of granting probates of Wills and adminiſtrations of Inteſtates Eſtates* read the firſt time, and ordered a 2^d^ reading

A bill Entituled *an Act for the better ſecuring the liberty of the Subject* read the firſt time, and ordered a ſecond reading

And then ye Council adjourned till to morrow morning 9 aclock

---

Wedneſday May 29th 1706

preſent

EDM^D^ JENINGS, *John Lightfoot, Dudley Digges, Benj^a^ Harriſon* Eſq^r^, *James Blair* Com^ry^, *Henry Duke* Eſq^r^

A meſſage from ye houſe of Burgeſſes to ye Council by Mr *Nathaniel Harriſon* and others who brought a Bill Entituled *an Act for ſettling the dividing lines between the Countys of* prince George, Surry, Iſle *of* Wight *and* Nanſemond *on ye Southſide the* Blackwater *ſwamp* to wch they deſire ye Councils concurrence.

A meſſage from the houſe of Burgeſſes to ye Council by Mr *Robt Beverley* and others that ye houſe had agreed to the amendm^te^ propoſed by their Hon^rs^ to ye bill Entituled *an Act for making, Clearing and repairing the highways & for clearing ye Rivers and Creeks* and to ye bill Ent^d^ *an Act directing the duty of Surveyors of Land and aſcertaining their fees*, and had inſerted them therein That ye houſe had alſo agreed unto part of ye amendm^ts^ propoſed by their Hon^rs^ to ye bill concerning the Militia with an amendm^t^, and to others they could not agree and deſired the Council to paſs ye f^d^ bill with ſuch of ye amendm^ts^ only as the houſe have agreed unto

A

A meſſage from the houſe of Burgeſſes to ye Council by Mr *Robt Beverley* and others who brought an order of that Houſe for appropriating the bricks of the old State houſe at *Jameſtown* to ye uſe of ye f^d^ County to wch they deſire the Councils concurrence.

Which order was read & agreed unto & is as follows

Ordered

That ye Bricks of ye old State houſe at *James town* be appropriated to ye uſe of *James City* County for the building a Court houſe in y^e^ ſaid County, and that no perſon preſume to make uſe of the ſaid Bricks on any other account whatſoever.

The amendments to the Bill Ent^d^ *an Act directing the duty of Surveyors of Land and aſcertaining their fees*, and to ye bill Ent^d^ *an Act for making Clearing & repairing the high ways and for clearing the Rivers and Creeks* being compared as inſerted in the Bills

Ordered

That ye Clk of the General Aſſembly carry back the f^d^ Bills to ye houſe of Burgeſſes, and acquaint them that ye Council have paſſed y^e^ ſame with ye amendm^ts^ agreed unto by their Hon^rs^ & that houſe. And that ye Clk of ye Gen^ll^ Aſſembly acquaint ye houſe that ye Council have agreed to ye order for appropriating ye bricks of the old State houſe at *James Town* to ye uſe therein mentioned.

A bill Entituled *an Act for ſettling the dividing Lines between the Countys of* Prince George, Surry, Iſle *of* Wight *and* Nanſemond *on ye Southſide* Blackwater *ſwamp* read the firſt time and ordered a 2^d^ reading.

The amendm^ts^ propoſed by the Council to ye bill Ent^d^ *an Act for ſettling ye Militia*, and diſagreed to by the houſe of Burgeſſes being read

Ordered

That y^e^ ſame ly upon ye table for further conſideration

A bill Entituled *an Act for the better ſecuring the Liberty of the Subject* read y^e^ ſecond time and Ordered a third reading.

And then ye Council adjourned till to morrow morning 9 aclock.

Thurſday May 30th 1706

preſent

EDM^D^ *JENINGS, Jno Lightfoot, Dudley Diggs, Benj^a^ Harriſon, Robt Carter* Eſq^rs^, *James Blair* Com^ry^ & *Henry Duke* Eſq^r^

A bill Entituled *an Act for the better ſecuring ye liberty of ye Subject* read the third time and paſſed without amendment

Ordered

That ye Clk of the Gen^ll^ Aſſembly carry the ſaid bill to ye houſe of Burgeſſes & acquaint them that ye Council have agreed thereto without amendm^t^

A meſſage from the Burgeſſes to ye Council by Mr *Miles Cary* and others who brought the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and acquainted the Council that the houſe had agreed unto ſome of the amendments propoſed by their Hon^rs^ to y^e^ ſaid Bill and to ye other of their amendm^ts^ had diſagreed, and deſired their Hon^rs^ not to inſiſt upon ſo much of y^e^ ſaid amendm^ts^ as are diſagreed unto by the Houſe.

A bill Entituled *an Act concerning the granting, Seating and planting and for ſettling the Titles and bounds of lands and for preventing unlawful ſhooting and ranging thereupon* read the ſecond time and Committed for amendments.

A meſſage to ye Council from the Burgeſſes by Mr *Robt Beverley* & others who brought a Bill Entituled *an Act for Naturalizacon*, and a bill Entituled *an Act confirming the Naturalizacon of* Joſhua Mulder *and others*, to wch they deſire the Councils concurrence.

A bill Entituled *an Act confirming the Naturalizacon of* Joſhua Mulder *& others*. and

A bill Entituled *an Act for Naturalization*, were read ye firſt time and Ordered a Second reading

And then ye Council adjourn'd till to morrow morning 9 aclock.

Friday

Friday May the 31ft 1706

Preſent

EDMUND JENINGS, *John Lightfoot, Dudley Diggs, Benja Harriſon, Robt Carter* Eſqrs, *Ja Blair* Comry, *Philip Ludwell* and *Henry Duke* Eſqrs

A meſſage from the Burgeſſes to ye Council by Mr *Wm Randolph* and others who brought a Bill Entituled *an Act declaring the Negro, Mulatto and Indian Slaves within this Dominion to be real Eſtate*, and a Bill Entd *an Act for prevention of miſunderſtandings between the Tributary Indians & other her Maieſtys Subjects of this Colony and Dominion, and for a free and open trade with all Indians whatſoever*, to wch they deſire the Councils concurrence.

A bill Entituled *an Act declaring ye Negro, Mulatto & Indian Slaves within this Dominion to be real Eſtate* read ye firſt time and Ordered a 2d reading

A bill Entituled *an Act for prevention of miſunderſtandings between the Tributary Indians and other her Majeſtys Subjects of this Colony & Dominion & for a free & open trade with all Indians whatſoever* Read ye firſt time & ordered a Second reading.

The Council took into conſideration the bill concerning ye granting ſeating & planting and for Settling ye titles and bounds of Lands and for preventing unlawful Shooting and ranging thereupon. and made ſeveral amendments thereto, and

Ordered

That ye bill with ye amendmts be read a third time.

And then ye Council adjourned till to morrow morning 8 aclock.

Saturday June ye 1ft 1706

preſent

EDMUND JENINGS, *John Lightfoot, Benja Harriſon, Robt Carter* Eſqrs, *Ja Blair* Comry, *Philip Ludwell & Henry Duke* Eſqrs

A meſſage to the Council from the Burgeſſes by Mr *Wm Robinſon* & others who brought the following Bills paſt by the Burgeſſes *viz* a bill Entituled *an Act laying an Impoſition upon skins & furrs for the better Support of ye College of* William *and* Mary *in* Virginia. A bill Entituled *an Act making the* ffrench *Refugees ſettled at ye* Manakin *town & parts adjacent a diſtinct pariſh by themſelves, and exempting them from the payment of publick and County Levys untill the 25th day of* November *1708*. A bill Entituled *an Act to prevent Indians hunting and ranging upon patented Lands*. A bill Entituled *an Act for enlarging the power of the Sherif attending the General Court*, and a bill to prevent Ships ſailing in contempt of Embargos, To wch they deſire the Councils concurrence.

A bill Entituled *an Act concerning the granting, Seating and planting & for Settling the titles and bounds of Lands and for preventing unlawful ſhooting & ranging thereupon*, Read ye third time with the amendmts

Reſolved

That ye bill with the amendments do paſs.

A bill Entituled *an Act laying an Impoſition upon Skins & furrs for the better Support of the College of* Wm & Mary *in* Virginia read the firſt time and ordered a ſecond reading

A Bill Entituled *an Act making the* French *Refugees inhabiting at the* Manakin *town and parts adjacent a diſtinct pariſh by themſelves and exempting them from the payment of publick & County Levys untill the 25th day of* Decemr *1708*, Read the firſt time and Ordered a ſecond Reading.

A Bill Entituled *an Act to prevent Indians hunting and ranging upon patented Lands* read the firſt time and Ordered a ſecond reading.

A Bill Entituled *an Act for enlarging the power of the Sherif attending the Genll Court* read the firſt time and Ordered a ſecond reading.

A bill Entituled *an Act to prevent ſhips ſailing in contempt of Embargoes* read the firſt time and Ordered a ſecond reading.

And then ye Council adjourned till *Munday* morning 8 aclock.

Munday

Munday June 3d 1706

prefent

JNO LIGHTFOOT, Robt Carter Eſqrs, *Ja Blair* Comry, *Philip Ludwell* Eſqr

A meſſage from the Burgeſſes to ye Council by Mr *Miles Cary* and others, that the Burgeſſes have paſſed a bill Entituled *an act for reſtraining and puniſhing of Pirates and Sea Robbers*, and a bill Entituled *an Act appointing a Treaſurer* and deſire the Councils concurrence thereto.

Edmund Jenings Eſqr preſent

A Bill Entituled *an Act for ſettling the dividing Lines between the Countys of* Prince George, Surry, Iſle *of* Wight *and* Nanſemond *on ye Southſide* Blackwater *ſwamp* read the ſecond time and amended and Ordered a 3d reading.

A bill Entituled *an Act for Naturalizacon* read the ſecond time & Ordered a third reading.

A bill Entituled *an Act confirming the Naturalization of* Joſhua Mulder & *others* read the 2d time and ordered a third reading.

A bill Entituled *an Act to prevent Indians hunting and ranging upon patented Lands* read ye ſecond time & amended & Ordered a third reading.

A bill Entituled *an Act for enlarging the power of the Sherif attending ye Genll Court* read ye 2d time and amended and Ordered a 3d reading

A bill Entituled *an Act to prevent ſhips ſailing in contempt of Embargos* read the 2d time and ordered a third reading.

A Bill Entituled *an Act making the* ffrench *Refugees inhabiting at ye* Manakin *town and the parts adjacent a diſtinct pariſh by themſelves, and exempting them from the payment of publick and County Levys untill the 25th day of* December *1708*, Read ye ſecond time and ordered a third Reading.

A Bill Entituled *an Act laying an Impoſition upon skins & furrs for the better Support of the College of* William *and* Mary *in* Virginia read the 2d time, and ordered a third reading.

A bill Entituled *an Act declaring the negro, Mulatto, and Indian Slaves within this Dominion to be real Eſtate*, Read ye ſecond time, and ordered a third reading.

And then ye Council adjourn'd till to morrow morning 8 aclock.

Tueſday June ye 4th 1706

preſent

EDMD JENINGS, Jno Lightfoot, Robt Carter Eſqrs, *James Blair* Comry *and Philip Ludwell* Eſqr

A bill Entituled *an Act for ſettling the dividing Lines between the Countys of* prince George Surry Iſle *of* Wight *and* Nanſemond *on ye ſouth ſide* Blackwater *ſwamp* read the third time with ye amendmts

Reſolved

That ye bill with ye amendmts do paſs

A bill Entd *an Act to prevent Indians hunting and ranging upon patented Lands* read ye third time with the amendments

Reſolved

That ye bill with ye amendments do paſs

A bill Entituled *an Act for enlarging the power of the Sherifs attending ye Genll Court* Read ye third time with ye amendments

Reſolved

That ye bill with ye amendmts do paſs.

A bill Entituled *an Act declaring the Negro, Mulatto & Indian Slaves within this Dominion to be real Eſtate* read ye third time with ye amendmts

Reſolved

That the bill with ye amendments do paſs

Ordered

Ordered

That ye Clerk of the General Aſſembly carry^y^ the ſaid four bills to ye houſe of Burgeſſes and acquaint them that ye Council have agreed thereto with ſeveral amendm^ts^ to wch they deſire the concurrence of that houſe.

A bill Ent^d^ *an Act for Naturalizacon* read ye 3^d^ time & paſſed w^th^out amendm^t^

A bill Entituled *an Act confirming the Naturalization of* Joſhua Mulder *and others* read the third time and paſſed without amendm^t^

A bill Entituled *an Act to prevent Ships ſailing in contempt of Embargos* read the third time and paſſed without amendment.

A bill Entituled *an Act making the* French *Refugees inhabiting at the* Manakin *Town and parts adjacent a diſtinct pariſh by themſelves & exempting them from the payment of publick and County Levys untill the 25th day of* Decem^r^ *1708* read the third time and paſſed without amendm^t^

A bill Entituled *an Act laying an Impoſition upon Skins & furrs for ye better Support of the College of* William & Mary *in* Virginia read the third time and paſſed without amendment.

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry the ſaid Bills to ye houſe of Burgeſſes and acquaint them that ye Council have paſſed y^e^ ſame without any amendm^t^

A meſſage from the Burgeſſes to the Council by Mr *Edwards* & others who brought back the Bills Ent^d^ *an Act for ſettling ye dividing Lines between the Countys of* Prince George, Surry, Iſle *of* Wight *and* Nanſemond *on ye Southſide* Blackwater *ſwamp*, and acquainted their Hon^rs^ that ye houſe had agreed to their amendm^ts^ to y^e^ ſame and had inſerted them therein

And y^e^ ſ^d^ bill being Examined

Ordered, that ye Clk of ye Gen^ll^ Aſſembly carry y^e^ ſame to ye houſe of Burg^s^ and acquaint them that ye Council have paſſed it as amended

A bill Entituled *an Act for the more effectual Suppreſſion of Vice and reſtraint and puniſhment of blaſphemous wicked & diſſolute perſons* read ye 2^d^ time and Committed for amendments.

And then ye Council adjourned till to morrow morning 7 aclock.

Wedneſday June the 5th 1706

prefent

EDMUND JENINGS, John Lightfoot, Robert Carter Eſq^rs^, *James Blair* Com^ry^ and *Philip Ludwell* Eſq^r^

The Council having taken into conſideration the amendm^ts^ made by them to the Bill Entituled *an Act concerning ye Church Clergy and other parochial affairs* wch have been diſagreed to by the Burgeſſes.

Reſolved

That a free Conference be deſired with the Burgeſſes, at one aclock this afternoon in the Conference Room on ye Subject matter of the amendments to the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and managers were appointed accordingly *viz*

Edmund Jenings, Robert Carter Eſq^rs^, Mr Com^ry^ *Blair* & *Philip Ludwell* Eſq^r^

Ordered

That ye Clk of the General Aſſembly go to ye houſe of Burgeſſes and acq^t^ that ye Council deſire a free Conference with the Burg^s^ at one aclock this afternoon in ye Conference Room, on the Subject of the amendm^ts^ to the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and that ye Council have appointed four of their members to manage the ſaid Conference with ſuch a number of Burgeſſes as the houſe ſhal think fitt.

A

A meſſage from the Burgeſſes to ye Council by Mr *Robert Beverley* and others who brought a bill Entituled *an Act for raiſing a publick Revenue for the better Support of the Government of this her Matys Colony & Dominion of* Virginia *and for aſcertaining the Sallary of the Council,* and a Bill Ent^d^ *an Act continuing* ye act directing ye building the Capitol and ye City of *Williamſburgh* with additions to wch they deſire the Councils concurrence

A meſſage from the Burgeſſes to ye Council by Mr *Miles Cary* and others that according to their Hon^rs^ deſire the houſe of Burgeſſes agreed to the free Conference on ye Subject matter of the amendments propoſed to the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs* and appointed managers to meet at time and place propoſed.

A bill Entituled *an Act appointing a Treaſurer* read ye 2^d^ time and Ordered a third reading

A bill Entituled *an Act for reſtraining and puniſhing pirates & Sea Robbers* read ye Second time, and ordered a third reading.

And then ye Council adjourned during pleaſure in order to attend the free Conference

---

WHICH being ended &
The Council mett again
Mr Secretary *Jenings* Reported the free Conference with the Burgeſſes on the Bill concerning the Church Clergy and other parochial affairs *viz*
That the ſaid Conference was begun by the Managers for the Council who after having acquainted the Burgeſſes how deſirous they were of preſerving a good correſpondence with that Houſe, and more eſpecially that a Bill of this conſequence for the good of the Church might not prove abortive, they had deſired this Conference in order to ſatisfy the Burgeſſes of the expediency and reaſonableneſs of the amendm^ts^ propoſed by them.

That the firſt point inſiſted on was the Councils amendments concerning ye Election of new and Sexennial Veſtrys, That the Council adhered to this amendm^t^ becauſe they were of opinion, that the immediate diſſolution of all Veſtrys, and appointing New Elections & ſo continually every ſix years (as propoſed in the Bill) Would be attended with many inconveniencys and evil conſequences. That it would occaſion partys and ffactions throughout all the pariſhes in ye Country, and lay a foundation for renewing ſuch broils and ffactions every 6th year, when there muſt be new Canvaſſing for Elections. That theſe Elections being to be made by all the ffreeholders and houſekeepers promiſcuouſly, the greater part of wch are mean people, and not always the moſt conſiderate, they will be like enough to carry the Election in favour of ſuch as themſelves. That there are not wanting, inſtances of the like proceedings, as namely in *S^t^ peters* pariſh in *New Kent* upon its being divided and a New Veſtry choſen, the meaner ſort of people agreed among themſelves that they would not elect any to be a Veſtry man that had been a Juſtice of the peace, and accordingly they did exclude all the Juſtices who had been formerly of that Veſtry. That the alteracon of an eſtabliſhed Conſtitution where ye fame is not generally complained of, is dangerous & ye conſequences cannot be foreſeen That the Council think they have propoſed a good Expedient in their amendm^ts^ *viz* that where any Veſtry have been unduly choſen heretofore, or where they have raiſed exorbitant Levys on ye pariſh, or combined to Levy any tobacco, and fraudulently diſpoſed of or miſapplyed it, upon proof made in any of theſe Caſes Such Veſtrys to be diſſolved & a New one elected, and if the Burgeſſes can think of any other Caſes where the irregularitys of a Veſtry cannot be redreſſed otherwiſe than by diſſolution & a New Election, the Council are ready to acquieſce thereto.

The Managers for the Burgeſſes anſwered to this effect. That there having been Complaints of the irregular and unwarrantable actings of diverſe Veſtrys and their raiſing exorbitant Levys on their pariſhes, there was no other way to redreſs thoſe Grievances

Grievances and to give a General Satisfaction to ye Country but by diſſolving all ye Veſtrys and allowing the people to right themſelves by making a New choice, nor was there any other way to prevent Veſtrys being filled with perſons allyed in kindred, but by renewing thoſe Elections every 6th year. That being now upon compoſing a Body of Laws for the Country, they think it is very proper for them to alter any Conſtitution that hath been found inconvenient. That there is no reaſon to doubt but that the people will ſtill chooſe the beſt men in the pariſh to be their Veſtry men, nor that they will exclude any Veſtryman who has formerly behaved himſelf as he ought, and as to the particular inſtance given by the Council it was not becauſe the Gentlemen were Juſtices of peace that they were excluded but becauſe they had acted to the diſſatisfaction of the pariſh when they were before in the Veſtry. That the Burgeſſes conceive that what is propoſed by ye Council as an Expedient will have far worſe conſequences than what is propoſed in ye Bill for that it is impoſſible now to make appear whether a Veſtry was at firſt legally choſen or not. That in many caſes a Veſtry may do ſeveral irregular Acts and yet the people be rather willing to ſitt Contented under that preſſure than be at ye expence and charge of a proſecution, that tho there are inſtances of the irregular proceedings of Veſtrys, yet no proſecution has ever followed thereon, Nor perhaps ever will be, becauſe ſuch Complaints muſt be made & proſecuted by private men, who will be very unwilling to be at ye expence thats neceſſary in ſuch Caſes, or to hazard their quiet by drawing on them the odium of ſuch a conſiderable Body of men as a Veſtry, and ſo the hardſhips intended to be remedyed by this act will ſtill remain.

To this the Managers for the Council Replyed that the private Complts ag^t^ ſome Veſtrys, tho allowed to be juſt, can never be ſaid to be a ſufficient ground to diſſolve thoſe Veſtrys where no ſuch Compl^ts^ have ever been made. That the preſent Conſtitution of the Veſtrys is agreeable to ye Laws and Cuſtoms of *England* and of all the plantacons where the Church of *England* is eſtabliſhed but y^t^ wch is propoſed in the Bill is unprecedented. That wherever a Conſtitution is eſtabliſhed by Law and has continued for ſo many years as this hath, the preſumption will always ſtand in favour of it, and it is abundantly more ſafe to continue it, than to introduce a New method of wch the conſequences appear to the tranquility of the Country. That y^e^ ſingle inſtance given of that unaccountable humor wherewith the Election of the Veſtry of *S^t^ peters* pariſh was managed, is enough to ſhow how far that and ſuch like popular Arguments may prevail with a Mobb and unthinking multitude when managed by turbulent and deſigning men. That Sexennial Elections will always give occaſion of new partys and Intrigues to the conſtant diſturbance of the pariſh, and afford opportunity for buſy men to ſtir up the Common people to exclude all the men of Note & Eſtates out of the Veſtrys, who are certainly leſs lyable to ye Suſpition of levying exorbitant Levys on the pariſh than others of meaner circumſtances in as much as they pay the greateſt ſhare thereof in proportion to the number of their Tithables in wch moſt Gentlemens Eſtates conſiſt. That there are now the beſt Gentlemen of the Country in the Veſtrys and the Council cannot Suppoſe that ye Burgeſſes intend to turn them out to make way for the meaner ſort to get into ye managem^t^ of the pariſhes. That ye Council think it hard and not agreeable to Juſtice that for the faults of a few men all the Veſtrys in the Country ſhould Suffer & ye Country run into laſting Confuſions, when all ye inconveniencys propoſed to be remedyed by it, may be more eaſily effected by what they have already propoſed, and if that be not Sufficient, by taking in any other Caſes that have appeared burdenſome to ye people. That as to ye objection that it cannot now be made appear whether Veſtrys were legally elected at firſt or not, It muſt be taken for granted that they were unleſs the contrary be proved. And As to ye difficulty of proſecution by private men, the ſame Argument may be uſed ag^t^ all proſecutions on penal Laws becauſe private men muſt become Informers.

The Managers for the Council inſiſted on their amendment for adding Cask to the Miniſters Sallary as a reaſonable allowance, and urged that ye beſt way to procure a good Clergy was to ſettle ſuch an allowance on them by Law, as may encourage good men to come hither.

To

To this the Managers for the Burgeſſes anſwered that ye Council might as well have asked 1280^li^ of tobacco to be added to y^e^ Miniſters ſallary, wch they ſaw no reaſon to grant the preſent Sallary being a Sufficient encouragement for any Clergy man.

The Managers for the Council Replyed that as the preſent Sallary is paid the 16000 pounds of tobacco is not really above 14000 after the Deduction of 8 $\frac{1}{2}$ *Cent* for Cask and the allowance wch the Miniſter muſt give (over and above what is allowed by law for having his tobacco collected and paid convenient, and while others who purchaſe tobacco pay but 30^li^ of tobacco for the cask, the Min^r^ is obliged to pay 48. That it is but reaſonable that ye Sallary ſhould be 16000 without any deduction, eſpecially conſidering that in many pariſhes the value of tobacco is ſo inconſiderable, that the Sallary is ſcarce Sufficient for ye Miniſters Subſiſtance.

To wch the Managers for the Burgeſſes rejoined that ye Miniſter pays no more for Cask than is allowed by Law for other publick tobacco. That ye Clergy never had any greater Sallary than is now allowed, and for many years not ſo great. That wherever a Clergyman is frugal, he never fails of making a handſome Eſtate out of his Sallary, and that they ſee no reaſon to augment ye Sallary, That even in the worſt of thoſe pariſhes where tobacco is ſo mean, the Miniſter is in equal circumſtances with the pariſh, and he can as well Subſiſt on his tobacco as the pariſhoners can do on theirs, and that beſides the Min^r^ has the advantage of improving his Glebe and raiſing Stock for the maintenance of his family.

It was then propoſed by the Council to add a proviſo to ye Bill to enable any Veſtry who had a deſire to gratify a good Miniſter to allow Cask with ye Sallary but it was rejected by the Burgeſſes.

The Council inſiſted on their amendm^t^, that if any Veſtry ſhal ſell any Glebe they ſhal be obliged to purchaſe a better in ſtead thereof, and ſaid that they believed ye Burgeſſes could never intend to give a Veſtry power to ſell or change a good Glebe for a worſe and that ye Councils amendm^t^ being only intended to prevent the arbitrary proceedings of Veſtrys in this particular they hop'd the Burgeſſes would eaſily agree to it.

The managers for the Burgeſſes ſaid that it was never intended to give power to a Veſtry to Sell a good Glebe and purchaſe a worſe, but they thought, the words (more convenient) mentioned in the Bill was ſufficient without any further addition, and that they ſhould agree ſo far that ye Veſtrys be obliged to lay out ye full price of the old Glebe at leaſt in ye purchaſe of a New.

The Managers for the Council inſiſted on the Clauſe in their amendments for the better ſettlement of the Clergy, and obſerved that the precarious circumſtances of the Clergy is a great diſcouragement to any one to come in hither. That the firſt part of the Clauſe was to prevent the ill practices of ſev^ll^ Veſtrys who keep their pariſhes vaccant at their pleaſure and take no care to procure Miniſters, that by this it is provided that if ye Veſtry do not Supply the pariſh with a Miniſter within 2 years after its becoming vaccant, the Govr may place a Min^r^ in that pariſh &c. And then proviſion is made that after a Min^r^ is once in a pariſh, if he continues therein for two years without any fault or offence, he ſhal not thereafter be removed (as ſome formerly had been at ye pleaſure of the Veſtry) without a legal Trial

To this the Managers for the Burgeſſes ſaid that before they entered upon the debate of this Clauſe they muſt promiſe that this and ye Subſequent Amendment concerning the Trial of the Clergy had ſuch a dependance on one another that they could not agree to ye one without agreeing to the other, That both have a tendency to bring in, Inductions and an Eccleſiaſtical Court to wch they can never give their conſent. That its impoſſible to be ſupplyed with Miniſters in ſo ſhort a time as two years, ſince they muſt come from *England*. That there is not any Miniſter in *Virginia* nor ever has been but what hath been always entertained as ſoon as he came in, And that all the pariſhes that are now vaccant would be very deſirous of Miniſters if they could be Supplyed with them, and that the Veſtrys generally make application to the Govr to Supply them with Miniſters, when they hear there is Any in ye Country not engaged.

That

That ye preſent Law doth ſufficiently provide for Induction if the Veſtry think fitt to preſent their Miniſter, but there's no reaſon that their Liberty of choice ſhould be taken away, if they can't provide themſelves with a Miniſter in two years. That there are many Miniſters in the Country who continued long in their pariſhes without Induction, & no inſtance can be given of any good man that ever has been turn'd out purely at the pleaſure of the Veſtry, and that if what is propoſed by the Council were granted, the Clergy would be much more precarious than ever, for no pariſh would keep a Miniſter above two years for fear of being obliged to induct him. That tho a Clergyman be not guilty of ſwearing, Drunkenneſs or ye other offences puniſhable by this act, yet he may be a man very ill qualifyed for his function, Negligent of his duty, covetous, a Whiſperer a Slanderer or guilty of ſeveral other indecencys that may give juſt offence to his pariſhoners and yet they ſhal not be relieved if this Amendment of the Councils be conceded. And as for the Trial of the offences of the Clergy, the General Court is the moſt proper place.

To this the Managers for the Council Replyed, that tis true the Arguing of one part of this amendment will inſenſibly draw into debate the other parts of this & the Subſequent amendm^t^, but if all be duly conſidered there's nothing in either but whats calculated for the advantage of the Country. That it is in ye power of any pariſh upon Suitable encouragement to procure a Miniſter from *England*, but if they never endeavour it, it is but reaſonable that there ſhould be a power lodged in the Govr to Supply ſuch vaccancys; and it is as reaſonable that when a Clergyman has tranſported himſelf and his family hither, & hath behaved himſelf well in his pariſh he ſhould be at a certainty and not left to the mercy of his Veſtry to turn him and his family a Starving at their pleaſure. That as ye Caſe now ſtands Veſtrys may keep their pariſhes vaccant as long as they pleaſe, wch is very unreaſonable. That ye method of Settlement of the Clergy now propoſed by the Council is ſuch as is moſt agreeable to the preſent Circumſtances of the Country, and wch they hope her Majeſty out of regard to our circumſtances will be graciouſly pleaſed to approve of. That by the Laws of *England*, if the patron (wch in this Country is ye Veſtry) doth not preſent in 6 moneths after the pariſh becomes Vaccant, the Right of preſentacon *jure devoluto* falls to the Queen, and her Ma^ty^ Govr here may induct a Miniſter into ſuch pariſh without ye Veſtrys conſent, and this hath been ye opinion of her Matys Attorney Gen^ll^ as the Burgeſſes may very well remember, that as this is a growing Country it muſt be expected that many more Clergymen will come in hereafter, and then it will perhaps be thought neceſſary that her Majeſty put in practice her Right of Induction, of wch her Ma^ty^ can never be diveſted otherwiſe than by her own Conceſſion by paſſing a Law here for that purpoſe, and if this Right ſhould ever be diſputed, it muſt be determined in her Majeſtys favour notwithſtanding any thing in this Bill as the Burgeſſes have paſſed it, That therefore when ye Aſſembly have it in their power to obtain a more eaſie way of ſettling ye Clergy than the Laws of *England* admitt of, and that there is great ground to hope that this may be accepted in lieu of the more Severe method of Induction upon a Lapſe, it would be very unaccountable if the Aſſembly ſhould let ſlip ſo farr an opportunity of ſecuring to their poſterity ſo conſiderable a priviledge both in reſpect to the time of providing a Miniſter, and the experience of his Capacity and good life before his Being entirely ſettled. That the Clergys holding their livings ſo precarioufly heretofore has been one great reaſon why this Country is ſo ill Supplyed with Miniſters That there are not wanting ſeveral inſtances of Miniſters being turned out at ye pleaſure of their Veſtrys without ſhowing any cauſe, and tho ſome have had ye good fortune to continue in their pariſhes for many years, Yet while a Miniſter has no Such aſſurance of his continuance, it muſt be a great diſcouragem^t^, That if for any of the offences Specifyed by the Burgeſſes (whereof ſome are entirely ſins of thought, & known only to God Almighty) a Clergyman muſt be turned out of his pariſh, the beſt man alive can never be ſecure, for it is morally impoſſible to find men altogether free from ſome of thoſe faults. That as to the Trial of the Clergy, the Eccleſiaſtical Juriſdiction of the Biſhop of *London* extending to all the plantacons, there is a power Veſted in him and by him devolved on his Com^ry^ to try & determine

all

all offences of the Clergy without appeal to any Court of Judicature here, So that if a Complaint be exhibited ag^{t} any Miniſter, if either the Miniſter or the Complainants find themſelves aggrieved by the Com^{rys} ſentence they have no way to obtain Redreſs but by appeal to ye Biſhops Court and if not redreſſed there to the Archbiſhops Court. That as this manner of trial in Eccleſiaſtical matters has ye countenance of the Laws of *England*, and the Sanction of her Majeſtys Inſtructions for encourageing it here, it is not to be ſuppoſed that ever it will be totally given up, And it cannot but be reckoned a conſiderable point yeilded that the Trial in ſuch matters are now propoſed to be ſettled jointly in ye Com^{ry} & three of ye Clergy & the County Courts (where the Laity will always be the Major part) & according to ye courſe of the common Law, and that there is alſo a liberty of Appealing to the Gen^{ll} Court for the final determinac̃on of ſuch Complts.

That thereupon the Managers for the Burgeſſes ſaid, that they could not agree to any other manner of Induction than what was propoſed in the Bill, and that they had rather truſt to her Maj^{ties} Clemency As to the putting her Right of Induction in execution than to bind themſelves by a Law of their own making.

The Managers for the Council inſiſted on their amendment for obliging Churchwardens to take an Oath and hoped the Burgeſſes would allow it to be neceſſary, and that it is agreeable to the conſtant practice in other Caſes, that in all offices of the like Nature, the officers are bound by Oath to the due execution thereof. That the Churchwardens in ſome Caſes are obliged to preſent offenders, and ſo ought to be upon Oath as well as the Grand Jury, and that without ſuch Oath they cannot make ſuch preſentments unleſs they were particularly impowered by the Bill ſo to do.

To this the Managers for the Burgeſſes anſwered that there was no need of ſuch an Oath, every Churchwarden being under an Oath as a Veſtryman, and if the Law has allowed them to execute the Office of Churchwardens without Oath, they are alſo enabled to make preſentm^{ts} that being within their office. That if Churchwardens were obliged to preſent upon Oath, no man would undertake that Office, ſince he muſt be obliged to rake into the faults, and converſations of all the pariſh for the whole time of his continuance in Office, and even the Grand Jurys are not obliged to preſent any other offences than ſuch as come to their knowledge during the time of their being ſuch wch is only for one Court.

The Managers for the Council inſiſted on the laſt proviſo added by them to the Bill, for Saving and confirming all bargains heretofore made between any pariſhes and Inducted Miniſters, tho the Sallary be more than this Law allows. and Said that the Law ought not to look back nor could they believe the Burgeſſes ever intended by it to put any Clergyman in a worſe condition as to his ſallary than he was before. That where Veſtrys have agreed with a Miniſter in conſideration of his Settling among them to give him ſomewhat above the ordinary Sallary It was but juſt that the ſame allowance ſhould be continued to him, wch firſt encouraged him to ſettle himſelf in that pariſh.

To which the Managers for the Burgeſſes anſwered, that they know of no ſuch Agreements except one with Mr *Anderſon* in *Weſtopher* pariſh wch was at firſt made by the Veſtry contrary to Law, and was always reckoned burdenſome to the people. And one of the Managers ſaid he knew of another agreement of the like nature

To this the Managers for the Council Replyed that tho they do not know of any other Agreement but what the Burgeſſes have mentioned, yet it is poſſible there may be others. That as to Mr *Anderſons* particular Caſe, the Agreement made with him was not againſt Law as is alledged but is agreeable to the Law then in being: for by that Law a Miniſter being allowed 80^{ll} ℔ *annum* to be paid in Tobacco, or other Country Commoditys or bills of Exchange, if the common price of *Aronoco* tobacco be computed at Eight ſhillings a hundred, Eighty pounds ℔ *annum* amounts juſt to 20,000 p^{ds} of tobacco & no more wch is Mr *Anderſons* Sallary—And when ye laſt Law for ſettling the maintenance of the Clergy was paſſed there was ſo great a regard had to that and ſuch other Contracts, that the Burgeſſes having in the Bill aſcertained the Miniſters Sallary at

16000

16000 pounds of tobacco and no more, The Council ſtruck out the words [and no more]* and the Burgeſſes agreed to it, that it might be in the power of Veſtrys to encourage and recompence good men. That Mr *Anderſon* is a perſon of that probity that even his Enemys cannot alledge any thing againſt him either in his life or Doctrine, and therefore the Council think it would look very unlike encouraging the Clergy if any allowance at firſt given by Law and ſince continued for many years purſuant to agreement ſhould be now taken away from him, or any other in the like Circumſtances. That ye Managers for ye Council acqted the Burgs that they hoped the Burgs would agree to ye amendmts propoſed & that they had left the Bill with them.

A meſſage from the Burgeſſes to the Council by Mr *Peter Beverley* and others who brought the Bill Entituled *an Act concerning* ye *granting, Seating and planting, and for Settling the titles and bounds of lands, and for preventing unlawful ſhooting & ranging thereupon*, and acquainted them that ye houſe had agreed to all their Honrs amendments made to ye ſaid Bill and had inſerted them therein

And ye ſaid bill being Examined with ye amendmts

Ordered

That ye Clerk of the General Aſſembly carry back ye ſaid Bill to the Burgs and acquaint them that ye Council have paſſed ye ſame as amended.

And then ye Council adjourn'd till to morrow morning 7 aclock.

Thurſday June ye 6th 1706

preſent

EDMD *JENINGS, John Lightfoot, Robt Carter* Eſqrs, *James Blair* Comry and *Philip Ludwell* Eſqr

A bill Entituled *an Act continuing the* Act directing the building the Capitol & the City of *Williamſburgh with additions* read the firſt time, and Ordered a ſecond reading.

A bill Entituled *an Act appointing a Treaſurer* read the third time & paſſed without amendmt

Ordered

That ye Clerk of the Genll Aſſembly carry the ſaid Bill to the houſe of Burgeſſes & acquaint them that ye Council have paſſed ye ſame without amendmts

His Excellency preſent

A meſſage to his Excellency from the Burgeſſes by Mr *Robt Beverley* and others who delivered to his Excellcy the following anſwer to his Excys meſſage concerning the fortifying of places for the defence of the Trade.

May it pleaſe Yor Excellency

We receive the greateſt . . . . . [See J. of H. of B., p. 214.]

To which his Excellcy was pleaſed to anſwer that he would repreſent it with all ye intereſt he had, and any thing elſe for the good of the Country.

A meſſage from the Burgeſſes to ye Council by Mr *Peter Beverley* & others deſiring a free Conference with the Council on ye Subject matter of the laſt free conference upon their amendments to ye Bill Entituled *an Act concerning* ye *Church Clergy and other parochial affairs.*

Reſolved

That a free Conference be agreed to immediatly. and that *Jno Lightfoot* Eſqr be one of the Conferrees in ye room of *Philip Ludwell* Eſqr now abſent.

Ordered

That the Clerk of the General Aſſembly go to the houſe of Burgeſſes and acquaint them that the Council agree to the free Conference deſired by that houſe on the Subject

* The brackets are in the original.

matter

matter of the laſt free Conference on ye amendments to the bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and appoint y^e^ ſame immediatly in the Conference Room.

And ye managers went to the Conference, and being Returned Mr Sec^ry^ *Jenings* Reported that the Managers for the Burgeſſes had delivered the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and acquainted them that the Burgeſſes do not inſiſt upon their diſagreeing to the 12th, 13th, 14th, 15th & 20th amendments propoſed by the Council but do agree that y^e^ ſame be made in the Bill, and that to all ye other amendments propoſed by the Council and not agreed to, the Burg^s^ do inſiſt upon their diſagreeing therewith.

Ordered

That the ſaid Bill and amendm^ts^ ly upon the Table, and that ye f^d^ Report be conſidered in a fuller Council.

A bill Entituled *an Act for the effectual Suppreſſion of Vice & reſtraint and puniſhment of blaſphemous wicked and diſſolute perſons* read ye third time with ye amendments

Reſolved

That the Bill with ye amendments do paſs.

A bill Entituled *an Act for prevention of miſunderſtandings between the Tributary Indians and other her Majeſtys Subjects of this Colony & Dominion, and for a free & open trade with all Indians whatſoever*, read the ſecond time, and Committed for amendments.

A bill Entituled *an Act for raiſing a publick Revenue for the better ſupport of the Government of this her Maj^tes^ Colony & Dominion of* Virginia *and for aſcertaining the Sallary of the Council* read the firſt time, and ordered a Second reading.

And then ye Council adjourned till to morrow morning 7 aclock.

Friday June 7th 1706

preſent

EDMUND JENINGS, *Jno Lightfoot, Benj^a^ Harriſon, Robt Carter* Eſq^r^, *James Blair* Com^ry^, *Philip Ludwell* Eſq^r^

A Bill Entituled *an Act for prevention of miſunderſtandings between the Tributary Indians and other her Majeſtys Subjects of this Colony and Dominion & for a free and open trade with all Indians whatſoever* read ye 3^d^ time with ye amendments.

Reſolved

That ye bill with ye amendments do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the houſe of Burgeſſes, and acquaint them that ye Council have paſſed y^e^ ſame with ſeveral amendments to wch they deſire ye concurrence of that houſe.

A motion being made that the Bill Entituled *an Act for reſtraining and puniſhing of Pirates and Sea Robbers*, be read a third time.

Reſolved

That ye act of parliament made in the 11th & 12th years of the Reign of his late Ma^ty^ King *William* Entituled *an Act for the more effectual Suppreſſion of piracy* hath ſufficiently provided for the trial of pirates in all the plantacons, And therefore

Ordered

That the Bill ſent up from the Burgeſſes for reſtraining & puniſhing of Pirates and Sea Robbers be diſagreed to

A bill Entituled *an Act continuing the* Act directing the building of the Capitol and the City of *Williamſburgh with additions*, read ye 2^d^ time & Committed for amendments.

A meſſage from the Burgeſſes to ye Council by Mr *Daniel Maccarty* & others who brought the following bills *viz* a bill Entituled *an Act for ſecurity and defence of the Country in times of danger*. A bill Entituled *an Act for removing Criminals from the Gaols of the Countys where they ſhal be apprehended to the publick Gaol at* W^m^burgh, and

a

a bill Entd *an Act to explain part of an Act of this prefent Seſſion of Aſſembly Entituled* an Act directing the manner of Levying executions and for relief of poor priſoners for debt, to wch they deſire the concurrence of the Council.

And the ſaid three Bills were read the firſt time and ordered a 2d Reading.

A meſſage from the Burgeſſes to the Council by Mr *Miles Cary* and others who brought the Book of Claims together with an order for the payment of ſeveral allowances in money paſſed by the houſe to wch they deſire the Councils concurrence.

Reſolved

That a free Conference be deſired with the Burgeſſes to morrow morning at 10 aclock on ye Subject matter of the amendments to the Bill Entituled *an Act for ſettling the Militia*

Ordered

That the Clerk of the General Aſſembly go to the houſe of Burgeſſes, & acquaint them that the Council deſire a free Conference with them to morrow morning at 10 aclock in the Conference room on ye Subject matter of their amendments to the Bill Entd *an Act for ſettling the Militia*, and have appointed three of their members to manage the ſd Conference with ſuch a number of Burgeſſes as that houſe ſhal think fitt.

A meſſage to the Council from the Burgs by Mr *Robt Beverley* & others that the Houſe agreed to the Conferrence deſired by their Honrs on ye Subject matter of the amendments to the bill Entd *an Act for ſettling the Militia*, and that their Managers will be ready at time and place appointed

And then ye Council adjourn'd till to morrow morning 8 aclock.

Saturday June 8th 1706

preſent

EDMD *JENINGS, John Lightfoot, Benja Harriſon, Robt Carter* Eſqrs, *James Blair* Comry, *Philip Ludwell* Eſqr

Ordered

That *Edmund Jenings, John Lightfoot,* and *Philip Ludwell* Eſqrs be appointed Managers of the Conference with the Burgeſſes on ye amendments to the Bill Entituled *an Act for Settling the Militia*

A meſſage from the Burgeſſes to the Council by Mr *Robert Beverley* and others who brought ſeveral Reſolves to wch they deſire the Councils concurrence. And the ſaid Reſolves were Read & agreed to & are as follows

Reſolved

That the Queens Arms be painted upon the ffront of the Cupulo of ye Capitol.

Reſolved

That the Queens Arms be painted in ye ſame place where Colo *Nicholſons* arms are now painted.

Ordered

That Mr *Henry Cary* take care that the Queens arms be painted on the Cupulo according to the Reſolves of this Houſe.

Jno Lightfoot Eſqr abſent

Mr Secry *Jenings* from the free Conference with the Burgeſſes on the amendments to the Bill Entituled *an Act for ſettling the Militia* Reported that they had mett the Burgeſſes and acquainted with their reaſons for inſiſting on their amendments to the ſaid bill and had left the bill with them.

A bill Entituled *an Act for raiſing a publick Revenue for the better Support of the Government of this her Majeſtys Colony & Dominion of* Virginia *and for aſcertaining ye Sallary of the Council* read ye ſecond time and Committed for amendments.

A meſſage from the Council to the Burgeſſes by Mr *Robert Beverley* & others that the houſe deſire a free Conference with ye Council on ye Subject matter of the laſt free Conference on the amendmts to ye bill Entituled *an Act for Settling ye Militia.*

Ordered

That the Clerk of the General Aſſembly go to ye houſe of Burgeſſes and acquaint them that the Council agree to the free Conference deſired by the houſe on ye Subject matter

matter of the laſt free Conference on ye amendments to ye bill Ent^d^ *an Act for ſettling ye Militia* and appoint y^e^ ſame on *Munday* next at two aclock in ye afternoon.

A bill Entituled *an Act for ſecurity and defence of the Country in times of danger* read the Second time and Committed for amendments.

A Bill Entituled *an Act to explain part of an Act of this preſent Seſſion of Aſſembly Entituled* an act directing the manner of Levying Executions and for relief of poor priſoners for debt read y^e^ ſecond time and ordered a third reading

A bill Entituled *an Act for removing Criminals from the Gaols of the Countys where they ſhal be apprehended to the publick Gaol at* Williamſburgh read y^e^ ſecond time, and ordered a third reading

And then ye Council adjourn'd till *Munday* morning 10 aclock

---

Munday June 10th 1706

preſent

EDM^D^ *JENINGS, Dudley Digges, Benj^a^ Harriſon, Robt Carter* Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell* Eſq^r^

A bill Entituled *an Act for removing Criminals from the Gaols of the Countys where they ſhal be apprehended to the publick Gaol at* Williamſburgh read the 3^d^ time and paſſed without amendment.

A bill Entituled *an Act to explain part of an Act of this preſent Seſſion of Aſſembly Entituled* an Act directing the manner of Levying Executions and for relief of poor priſoners for debt read ye third time and paſſed without amendm^t^

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bills to ye houſe of Burgeſſes and acquaint them that ye Council have paſſed y^e^ ſame without amendment.

A meſſage from the houſe of Burgeſſes to the Council by Mr *Robt Beverley* and others who brought the following Bills *viz* a bill Entituled *an Act for eſtabliſhing ports and Towns.* A bill Ent^d^ *an Act for repealing an Act of Aſſembly begun at* James City June *8th 1680 Entituled* an Act of free & General pardon, Indemnity and oblivion, and *an Act for continuing Gen^ll^ Aſſemblys in caſe of the death or Demiſe of her Majeſty her heirs or Succeſſors, and for making valid all acts of the Governor and Council and all Judgements and proceedings at Law wch ſhal happen between the death of any King or Queen of* England, *and the Notification thereof in this Country,* to wch they deſire the Councils concurrence.

Jno Lightfoot Eſq^r^ preſent

And the ſaid three bills were read ye firſt time, and ordered a ſecond reading.

A meſſage from the Burgeſſes to the Council by Mr *Peter Beverley* and others who brought the Bill Entituled *an Act for the effectual Suppreſſion of Vice, and reſtraint and puniſhment of blaſphemous wicked & diſſolute perſons,* and acquainted the Council that the Burgeſſes had agreed to part of their Hon^rs^ amendments, and to part they could not agree, and deſire the Council to paſs ye bill as ye Burgeſſes have agreed to it. And alſo brought the bill Entituled *an Act for prevention of miſunderſtandings between the Tributary Indians and other her Matys Subjects of this Colony and Dominion, and for a free and open trade with all Indians whatſoever,* and acquainted the Council that the Burgeſſes had agreed to all their Hon^rs^ amendments with ſome amendments of their own, to wch they deſire the Councils concurrence.

Mr Sec^ry^ *Jenings* from the free Conference with the Burgeſſes on ye Subject matter of the laſt free Conference upon their amendments to the bill Entituled *an Act for ſettling the Militia,* Reported that they had mett ye Managers for the Burgeſſes who acquainted them that the Burgeſſes inſiſted on their diſagreeing to ye amendm^t^ propoſed 2^d^ ſheet 1^ſt^ page 12th line; to ye other amendm^t^ propoſed in the 14th line. That they inſiſted on their amendment to ye Councils amendm^t^ propoſed to be added to the 15th line of y^e^ ſame page, and deſire the Council would agree thereto, or that they would propoſe ſuch further amendm^ts^ as they think Reaſonable. That they did not inſiſt on their diſagreeing to

to ye amendment propoſed by the Council 2^d ſheet 2^d page 2^d line. That they inſiſted on their diſagreeing to y^r amendm^t propoſed to be added in the 4th ſheet 1^ſt page, at ye end of ye 10th Line, but foraſmuch as in the laſt free Conference the Managers for the Council did acquaint ye Managers for ye Burgeſſes that y^e ſ^d Amendm^t was only propoſed by them to make the foregoing paragraph of the Bill more Suitable, therefore the Burgeſſes deſire that ye Council will propoſe ſuch amendment to y^e ſ^d paragraph as they think reaſonable.

Upon the Report of the free Conference with the Burgeſſes upon the Subject matter of the laſt free Conference on the amendments to the Bill Entituled *an Act for Settling the Militia*, the Council proceeded to the conſideration thereof and the firſt and 2^d amendm^ts propoſed by the Council and diſagreed unto by the Burgeſſes in ye 2^d ſheet, 1^ſt page 12th line, and ye other amendment in the 14th line of y^e ſame page being read, The Council agree not to inſiſt on y^e ſ^d amendments.

The amendment made by the Burgeſſes to ye amendment propoſed by ye Council to be added to ye end of ye 15th line of y^e ſame page, being read, The Council agree thereto, with this amendment *viz* that inſtead of the words [ſhal be] in ye 2^d line of the Burgeſſes amendment, the word [are] be inſerted, and that after the word [ſuitable] to ye end of that amendment be ſtruck out, and inſtead thereof the words [for Gentlemen] be inſerted.

The laſt amendment propoſed by the Council, and diſagreed to by the Burgeſſes in the 4th Sheet, 1^ſt page, at ye end of the 10th line, being read, The Council do not inſiſt on y^e ſ^d amendment, but inſtead thereof propoſe that ye following amendment be made *viz* after ye word [fined] in y^e ſame 10th line, Strike out to ye end of that line, and in ſtead thereof inſert theſe words [ten pounds current money or Suffer three moneths impriſonment without Bail or Mainprize]*

Ordered

That the above Reſolutions and amendments be delivered to the Burgeſſes at a free Conference.

The Burgeſſes amendm^ts upon the Councils amendments to ye Bill Entituled *an Act for prevention of miſunderſtandings between the Tributary Indians and other her Majeſtys Subjects of this Colony and Dominion, and for a free & open trade with all Indians whatſoever* being read, were ſeverally agreed to, and

Ordered

That ye Clk of ye Gen^ll Aſſembly carry y^e ſ^d bill to ye houſe of Burgeſſes and acquaint them of ye Councils agreement to the amendm^ts propoſed by them.

The amendm^ts propoſed by the Council to the Bill Entituled *an Act for ye effectual Suppreſſion of vice and reſtraint and puniſhment of blaſphemous wicked and diſſolute perſons*, to wch the Burgeſſes have diſagreed being read, and ſeverally conſidered,

Reſolved

That the Council do not inſiſt on ſo much of their amendm^ts to y^e ſaid bill as are diſagreed unto by the Burgeſſes. and

Ordered

That ye Clerk of the General Aſſembly carry the ſaid bill and amendm^ts to ye houſe of Burgeſſes and acquaint them that ye Council do not inſiſt on y^e ſ^d Amendm^ts

A bill Entituled *an Act for the ſecurity and defence of the Country in times of danger* Read the third time with ye amendments

Reſolved

That the Bill with ye amendments do paſs.

A Bill Entituled *an Act continuing the* Act directing the building the Capitol and the City of *Williamſburgh* read the third time with ye amendments

Reſolved

That the Bill with the amendments do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſ^d two bills to the Houſe of Burgeſſes and acquaint them that ye Council have paſſed y^e ſame with ſeveral amendments to wch they deſire the concurrence of that houſe.

And then ye Council adjourned till to morrow morning 8 aclock.

* The brackets in this and in the preceding paragraph are, of courſe, in the original.

Tueſday

Tueſday June 11th 1706.

Preſent

EDMUND JENINGS, Jnº Lightfoot, Dudley Diggs, Robert Carter Eſqrs & Mr Comry *Blair*

A Bill Entituled *an Act for the continuing of General Aſſemblys in caſe of the death or Demiſe of her Majeſty her heirs or Succeſſors, & for making valid all acts of the Governor and Council, and all Judgements and proceedings at Law, wch ſhal happen between the death of any King or Queen of* England *and ye Notification thereof in this Country,* Read ye ſecond time & ordered a 3d reading.

Philip Ludwell and *Henry Duke* Eſqrs preſent

A Bill Entituled *an Act for eſtabliſhing ye County Courts for regulating & ſettling the proceedings therein, and directing the manner of granting probates of Wills & adminiſtrations of Inteſtates Eſtates* read ye 2d time, and Committed for amendmts to *Robert Carter* Eſqr and Mr Comry *Blair.*

Ordered

That ye Clerk of the Genll Aſſembly go to the houſe of Burgeſſes & deſire an immediate free Conference with them on ye Subject matter of ye laſt free Conference in relation to the amendmts to ye bill Entd *an Act for ſettling the Militia.*

A meſſage from the Burgeſſes to the Council by Mr *Robt Beverley* & others that ye houſe agreed to an immediate free Conference on ye Subject matter of ye laſt free Conference in relation to ye bill Entituled *an Act concerning ye Militia,* and that their Managers would be ready accordingly.

A Bill Entituled *an Act for eſtabliſhing ports and Towns* read the ſecond time, and Committed for amendments

And then ye Council adjourned till to morrow morning 8 aclock.

Wedneſday June 12th 1706

preſent

HIS Excellency, *Edmund Jenings, John Lightfoot, Dudley Diggs, Robert Carter* Eſqrs, Mr Comry *Blair & Philip Ludwell* Eſqr

A meſſage to his Excellency from the houſe of Burgeſſes by Mr *Peter Beverley* and others who brought the following Addreſs

To his Excellency Edward Nott *Eſqr her Majtys Lievt and Governor General of* Virginia

May it pleaſe Yor Excellcy

We her Majeſtys dutiful . . . . . [See J. of H. of B., pp. 220-221.]

A meſſage to the Council by Mr *Robert Beverley* and others who brought the Bill Entituled *an Act for the effectual Suppreſſion of Vice & reſtraint and puniſhment of blaſphemous wicked and diſſolute perſons,* and the bill for prevention of miſunderſtandings between the Tributary Indians and other her Matys Subjects of this Dominion, and for a free & open trade with all Indians whatſoever, and acquainted the Council that the Burgeſſes had inſerted therein ye amendmts agreed upon by their Honrs and that Houſe. That the Burgeſſes had inſerted ye amendts propoſed to the Bill Entituled *an Act for ſettling ye Militia.* and that they had agreed to ye amendmts propoſed by their Honrs to ye bill Entd *an Act for ye ſecurity and defence of the Country in times of danger,* and to ye bill Entd *an Act continuing ye Act directing the building the Capitol and the City of* Wmſburgh with additions & had inſerted them therein.

And the ſaid Bills with the amendments being Examined

Ordered

That the Clerk of the Genll Aſſembly Return ye ſame to the houſe of Burgeſſes and acquaint them that ye Council have paſſed them as amended.

A meſſage from the Burgeſſes to the Council by Mr *Peter Beverley* & others who brought the following Bills *Viz* a bill Entituled *an Act directing the building a houſe for the Governor of this Colony and Dominion,* a bill Entitd *an Act for confirming titles to Town*

Town lands, and a bill Entituled *an Act for the diſtribution of Inteſtates Eſtates, declaring widows rights to their decᵈ huſbands Eſtates, and for ſecuring Orphans Eſtates* to wᶜʰ they deſire the concurrence of yᵉ Council.

A Bill Entituled *An Act for eſtabliſhing ports and Towns* read yᵉ third time with the amendmᵗˢ

Reſolved

That the bill with the amendments do paſs.

Ordered

That the Clerk of the Genˡˡ Aſſembly carry the ſaid Bill to the houſe of Burgeſſes, and acquaint them that yᵉ Council have paſſed yᵉ ſame with ſeveral amendmᵗˢ to wᶜʰ they deſire the concurrence of that houſe.

A bill Entituled *an Act for confirming titles to Town lands*, read yᵉ firſt time and Ordered a Second reading.

A bill Entituled *an Act directing the building of a houſe for the Governor of this Colony & Dominion* read the firſt time, and ordered a ſecond reading.

And then yᵉ Council adjourned till to morrow morning 8 aclock.

Thurſday June 13th 1706

preſent

EDMᴰ *JENINGS*, *Jnº Lightfoot*, *Dudley Digges* Eſqʳˢ, *James Blair* Comʳ, *Philip Ludwell & Henry Duke* Eſqʳˢ

A bill Entituled *an Act for the diſtribution of Inteſtates Eſtates declaring widows rights to their deceaſed huſbands Eſtates and for ſecuring Orphans Eſtates* read the firſt time and ordered a ſecond reading.

Robert Carter Eſqʳ preſent

A Bill Entituled *an act for the continuing of Genˡˡ Aſſemblys in caſe of the death or Demiſe of her Majeſty her heirs or Succeſſors and for making valid all acts of the Governor and Council & all Judgements and proceedings at Law, wᶜʰ ſhal happen between the death of any King or Queen of* England *and the notification thereof in this Country* Read yᵉ 3ᵈ time and paſt without amendment.

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Burgeſſes and acquaint them that yᵉ Council have paſſed yᵉ ſame without amendment.

A meſſage to the Council by Mʳ *Robert Beverley* and others who brought the Bill Entituled *an Act for eſtabliſhing ports and Towns*, and acquainted yᵉ Council that the Burgeſſes had agreed to all their Honʳˢ amendmᵗˢ to yᵉ ſaid bill and had inſerted them accordingly.

And yᵉ ſaid Bill being Examᵈ

Ordered

That the Clerk of the Genˡˡ Aſſembly carry yᵉ ſame to yᵉ houſe of Burgˢ and acquaint them that the Council have paſſed yᵉ ſame as amended.

The amendments to the Bill Entituled *an Act for eſtabliſhing the County Courts, for regulating & ſettling the proceedings therein and directing yᵉ manner of granting probates of Wills and Adminiſtrations of Inteſtates Eſtates*, being reported were read, and ſeveral alterations being made therein.

Ordered

The Bill be read a third time with yᵉ amendmᵗˢ tomorrow

And then the Council adjourn'd till to morrow morning 8 aclock.

Friday

Friday June ye 14th 1706

preſent

JOHN LIGHTFOOT, *Dudley Diggs, Robert Carter* Eſqrs, *James Blair* Comry, *Philip Ludwell & Henry Duke* Eſqrs

A bill Entituled *an Act for confirming titles to Town Lands* read ye ſecond time and Ordered a third reading

Edmd Jenings Eſqr preſent

A bill Entituled *an Act directing the building a houſe for the Governor of this Dominion* read the ſecond time and amended, and ordered a third reading.

A bill Entituled *an Act for eſtabliſhing the County Courts, for regulating and ſettling the proceedings therein, and directing the manner of granting probates of Wills and adminiſtrations of Inteſtates Eſtates* Read ye third time with ye amendments,

Reſolved

That ye bill with ye amendments do paſs.

Ordered

That the Clerk of the Genll Aſſembly carry the ſaid bill to the houſe of Burgs and acquaint them that ye Council have paſſed ye ſame with ſevll amendmts to wch they deſire the concurrence of that houſe.

A meſſage from the Burgeſſes to ye Council by Mr *Geddes* and others who brot a bill Entituled *an Act for preventing frauds in the Cuſtoms & in clearing of ſhips, for aſcertaining Collectors and Naval Officers fees, and to prohibite and prevent the caſting of ballaſt and dead bodys into Rivers and Creeks* to wch they deſire the concurrence of the Council.

And the ſaid bill was read the firſt time and Ordered a Second reading.

A bill Entituled *an Act for the diſtribution of Inteſtates Eſtates, declaring widows rights to their deceaſed huſbands Eſtates & for Securing Orphans Eſtates* read ye 2d time and amended and Ordered a third reading.

A bill Entituled *an Act for repealing an Act of Aſſembly begun at* James City June *8th 1680 Entituled* an act of free and General pardon, Indemnity & oblivion read the ſecond time and Ordered a third reading

And then ye Council adjourned till to morrow morning 8 aclock.

Saturday June 15th 1706

preſent

EDMD JENINGS, *Jne Lightfoot, Robt Carter* Eſqrs, *James Blair* Comry, *Philip Ludwell & Henry Duke* Eſqrs

A bill Entituled *an Act directing the building a houſe for the Governor of this Colony and Dominion* Read ye 3d time with ye amendments.

Reſolved

That ye bill with ye amendments do paſs

A bill Entituled *an Act for ye diſtribution of Inteſtates Eſtates, declaring widows Rights to their deceas'd huſbands Eſtates & for ſecuring Orphans Eſtates* read ye 3d time with ye amendments.

Reſolved

That ye bill with ye amendments do paſs.

A bill Entituled *an Act for raiſing a publick Revenue for ye better Support of the Governmt of this her Majtys Colony and Dominion of* Virginia *& for aſcertaining ye Sallary of the Council* read ye 3d time with ye amendmts

Reſolved

That ye bill with ye amendments do paſs.

Ordered

That the Clerk of the Genll Aſſembly carry the ſaid bills to ye houſe of Burgeſſes, and acquaint them that ye Council have made ſevll amendmts thereto, to wch they deſire the concurrence of that houſe.

A

A bill Entituled *an Act confirming titles to Town lands* read ye 3^d^ time & paſſed without amendment.

A bill Entituled *an Act repealing an Act of Aſſembly begun at* James City June 8th *1680 Entituled* an Act of free and General pardon, indemnity and oblivion Read ye 3^d^ time and paſſed without amendment.

Ordered

That ye Clerk of the Gen^ll^ Aſſembly carry the ſaid Bill to ye houſe of Burgeſſes and acquaint them that ye Council have paſſed the ſame without any amendment.

Upon conſideration of the Report of the laſt free Conference with ye Burgeſſes on the amendments to ye Bill Entituled *an Act concerning the Church Clergy and other parochial affairs.*

Reſolved

That a free Conference be deſired with the Burgeſſes on *Munday* next on ye Subject matter of the laſt free Conference concerning ye amendm^ts^ to ye f^d^ bill.

A Bill Entituled *an Act for preventing frauds in the Cuſtoms & in clearing of ſhips, for aſcertaining Collectors & Naval officers fees, and to prohibite & prevent the Caſting of ballaſt & dead bodys into Rivers and Creeks* read ye Second time and Committed for amendments

And then ye Council adjourned till *Munday* morning 8 aclock

---

Munday June ye 17th 1706

preſent

BENJ^A^ HARRISON, Robert Carter Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell & Henry Duke* Eſq^rs^

A meſſage from the Burgeſſes to the Council by Mr *Peter Beverley* and others that the houſe had agreed to all their Hon^rs^ amendm^ts^ to the bill Entituled *an Act directing the building a houſe for the Governor of this Colony and Dominion*, and had inſerted them therein. That ye Burgeſſes had alſo agreed to part of their Hon^rs^ amendments to the bill Entituled *an Act for raiſing a publick Revenue for the better Support of the Government of this her Matys Colony and Dominion of* Virginia, *and for aſcertaining the Sallary of the Council*, and to part they could not agree, and deſire the Council to paſs the bill as they had agreed to it. And that the Burgeſſes had agreed to part of their Hon^rs^ amendments to the Bill Entituled *an Act for the diſtribution of Inteſtates Eſtates, declaring widows rights to their dec^d^ huſbands Eſtates, and for ſecuring Orphans Eſtates* with an amendm^t^ of their own, and to other part they could not agree, and deſire their Hon^rs^ to paſs the bill as they had agreed to it.

Edm^d^ Jenings and *Dudley Diggs* Eſq^rs^ preſent

A meſſage from the Burgeſſes to ye Council by Mr *Miles Cary* and others who brought a bill Entituled *an Act for the regulation and Settlement of ferrys and for diſpatch of publick Expreſſes paſſed by the Burgeſſes* to wch they deſire their Hon^rs^ concurrence.

On conſideration of the amendments made by the Council to the Bill Entituled *an Act for raiſing a publick Revenue for the better Support of the Government of this her Matys Colony and Dominion of* Virginia, *and for aſcertaining the Sallary of the Council.*

Reſolved

That the Council do not inſiſt on ſo much of their amendments to ye f^d^ bill as are diſagreed to by the houſe.

The amendm^ts^ propoſed by the Council and diſagreed to by the Burgeſſes in the bill Ent^d^ *an Act for the diſtribution of Inteſtates Eſtates, declaring widows rights to their deceaſed huſbands Eſtates and for ſecuring Orphans Eſtates*

Reſolved

That the Council do not inſiſt on ſo much of their amendm^ts^ to y^e^ ſaid bill as the houſe of Burgeſſes have diſagreed to, And agree to the amendm^t^ propoſed by the houſe upon their amendm^ts^ to the f^d^ bill.

Ordered

Ordered

That the Clerk of the Genll Affembly carry ye fd bills to ye houſe of Burgeſſes and acquaint them of the Councils agreeing to ye fd bills as yt houſe have propoſed.

A bill Entituled *an Act for preventing frauds in the Cuſtoms, and in clearing of Ships, for aſcertaining Collectors and Naval Officers fees, and to prohibite & prevent the caſting of ballaſt & dead bodys into Rivers and Creeks* read ye 3d time with the amendmts

Reſolved

That the bill with the amendments do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the houſe of Burgeſſes and deſire their concurrence to the amendmts made by the Council to the ſaid Bill.

A bill Entituled *an Act for the regulation and Settlement of ferrys and diſpatch of publick Expreſſes* read the firſt time, and ordered a Second reading.

The Council having taken into conſideration the amendmts to ye bill concerning the Church Clergy and other parochial affairs, proceeded to ye debate of ſuch of ye ſaid amendments as are proper to be inſiſted on at ye free Conference with ye Burgeſſes, and

The 21ſt amendment being read, The Council do recede from the firſt and third paragraphs of the ſaid amendment, and agree that ye 2d paragraph be altered thus, That a pariſh being once Supplyed with a Miniſter if he ſhal continue for the Space of three years to behave himſelf well in his office he ſhal not thereafter be removed without a legal trial.

The 25th amendment being read, the Council agree that this amendmt be propoſed as follows *viz* that the Trial of a Clergyman be either as ye amendment preſcribes, or by the Comry & ſome of the Clergy, or by ye Comry alone.

And as to all the other amendments diſagreed unto by the Burgeſſes, The Council are ſo deſirous that this Bill ſhould paſs, that they will not further inſiſt on any of ye fd amendments.

A meſſage to the Council from the Burgeſſes by Mr *Miles Cary* & others who acquainted the Council that the houſe agreed to the free Conference deſired by their Honrs on ye bill Entituled *an Act concerning ye Church Clergy and other parochial affairs*, and had appointed Managers to meet at time & place propoſed.

A meſſage to ye Council from the Burgeſſes by Mr *Robert Beverley* and others who brought the bill Entituled *an Act for raiſing a publick Revenue for the better Support of the Government of this her Majties Colony & Dominion of* Virginia, *and for aſcertaining the Sallary of ye Council*, and the bill Entituled *an Act for the diſtribution of Inteſtates Eſtates, Declaring Widows rights to their deceaſed huſbands Eſtates and for ſecuring Orphans Eſtates* and acquainted the Council that ye houſe had inſerted the amendmts agreed upon in the ſaid Bills.

And the ſaid Bills being Examined

Ordered

That ye Clk of the Genll Aſſembly return ye fd Bills to ye houſe of Burgeſſes and acquaint them that ye Council have paſſed ye ſame as amended.

The Book of publick Claims was read over, and ſome amendmts made thereto, and the further conſideration thereof Referred till to morrow morning

A meſſage from the Burgeſſes to the Council by Mr *Nathaniel Harriſon* & others who brought the Bill Entituled *an Act for preventing frauds in ye Cuſtoms & in clearing of Ships, & for aſcertaining the Collectors & Naval Officers fees, and to prohibite & prevent the caſting of ballaſt and dead bodys into Rivers and Creeks*, and acquainted ye Council that the houſe had agreed to all their Honrs amendments with ſome amendmts of their own to wch they deſire the concurrence of the Council.

And ye fd amendments of the Burgeſſes to ye Councils amendmts being read were agreed to, and

Ordered

That the Clerk of the General Aſſembly return ye fd bill to the houſe of Burgeſſes and acquaint them that the Council agree to the amendmts propoſed by that houſe upon their amendmts to ye fd Bill.

And then ye Council adjourned till to morrow morning 8 aclock.

Tueſday

Tueſday June ye 18th 1706

preſent

EDMUND JENINGS, *Dudley Digges, Benj^a^ Harriſon, Robt Carter* Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell* and *Henry Duke* Eſq^rs^

A Bill Entituled *an Act for the regulation and Settlement of fferrys and diſpatch of publick Expreſſes* Read the ſecond time and amended, and

Ordered

That ye Bill with the amendments be read a third time.

A meſſage from the Burgeſſes to the Council by Mr *Robert Beverley* and others who brought a bill Entituled *an Act preſcribing the method of appointing County Court Clerks and for aſcertaining the ffees of the Secretary, County Court Clerks Sherifs & Conſtables,* to wch they deſire the Councils concurrence.

And y^e^ ſaid Bill was read the firſt time, and Ordered a ſecond reading.

The Book of publick Claims being farther read and conſidered and another amendment made thereto,

Ordered

That the Clerk of the General Aſſembly carry the book of Claims to ye houſe of Burgeſſes, and acquaint them that ye Council have made Several amendm^ts^ and additions thereto, to wch they deſire the concurrence of that houſe

Ordered

That ye Clerk of ye Gen^ll^ Aſſembly carry the following meſſage to the houſe of Burgeſſes, *viz*

The Council taking into conſideration that ye Joint Committee of Council and Burgeſſes appointed laſt meeting of ye Aſſembly in relation to ye Capitol by reaſon of ye adjournm^t^ wch ſpeedily enſued had not time to give ſo full directions therein as was neceſſary, Do now propoſe that y^e^ ſ^d^ Committee be revived, that ſo every thing neceſſary for the finiſhing ye Capitol may be fully agreed on before the termination of this Seſſion

And then ye Council adjourned till to morrow morning 8 aclock.

Wedneſday June ye 19th 1706

preſent

EDMUND JENINGS, *Dudley Digges, Benj^a^ Harriſon, Robert Carter* Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell* and *Henry Duke* Eſq^rs^

A meſſage to the Council from the Burgeſſes by M^r^ *peter Beverley* and others who brought the Bill Entituled *an Act for eſtabliſhing the County Courts and for regulating and Settling the proceedings therein, directing the manner of granting probates of Wills and adminiſtrations of Inteſtates Eſtates,* and acquainted the Council that the houſe had agreed to part of their amendm^ts^, & to other part they could not agree, and that they had agreed to ſome other amendments with amendm^ts^ of their own, and deſire the Council not to inſiſt on ye amendments ſo diſagreed to, and to give their concurrence to the Houſes amendm^ts^ on their Hon^rs^ amendments.

And y^e^ ſaid bill and amendments being conſidered

Reſolved

That the Council do not inſiſt on ſo much of their amendments as the Burgeſſes have diſagreed unto. And that the amendments propoſed by the Burgeſſes be agreed to, and

Ordered, that the Clerk of ye Gen^ll^ Aſſembly return y^e^ ſ^d^ bill to ye houſe of Burgeſſes, and acquaint them that ye Council have agreed to y^e^ ſame as propoſed.

A bill Entituled *an Act for the regulation and Settlement of ferrys and for diſpatch of publick Expreſſes* read ye third time with ye amendments

Reſolved

That ye bill with the amendments do paſs.

Ordered

That the Clk of ye Gen^ll^ Aſſembly carry y^e^ ſ^d^ bill to ye houſe of Burgeſſes and acquaint them that ye Council have agreed thereto with ſome amendments to wch they deſire the concurrence of that Houſe.

A

A Meſſage from the Burgeſſes to ye Council by Mr *Miles Cary* and others who brought the Bill Entituled *an Act concerning the Church Clergy and other parochial affairs*, and acquainted their Hon^rs^ that the houſe diſagreed to all the amendments propoſed by the Council to the f^d^ bill at ye free Conference. and adhered to their former diſagreem^t^ to the Councils amendm^ts^

And alſo brought the Book of Claimes and acquainted the Council that on conſideration of the additions and amendments propoſed thereto by their Hon^rs^ the houſe had agreed to part and to part had diſagreed.

A bill Entituled *an Act preſcribing ye method of appointing County Court Clerks and for aſcertaining the fees of the Secry, County Court Clerks, Sherifs & Conſtables* read ye 2^d^ time and Committed for amendments.

The Book of Claims & amendm^ts^ thereto being conſidered

Reſolved

That the Council do not inſiſt on ſo much of their amendm^ts^ & additions thereto as are diſagreed unto by ye houſe of Burgeſſes. and

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry the Book of Claims to ye houſe of Burgeſſes, and acquaint that ye Council do not inſiſt on ye amend^ts^ ſo diſagreed to.

A meſſage to ye Council from ye Burg^s^ by Mr *Miles Cary* & others who brought the Book of Claims and acquainted them that ye houſe had made ye amendm^ts^ propoſed therein.

And y^e^ ſaid Book being Examined

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry back y^e^ ſaid Book to the houſe of Burgeſſes and acquaint them that the Council have paſſed y^e^ ſame as amended.

The order of the houſe of Burgeſſes for paying the money allowances contained in the book of Claims being read was agreed to by the Council, and is as follows

Ordered

That the allowances made in money wch are contained in ye book of publick Claims, be paid out of the publick moneys in Mr Treaſurer *Beverleys* hands unto the ſeveral perſons to whom y^e^ ſame are made reſpectively.

And then ye Council adjourned till to morrow morning 8 aclock.

Thurſday June the 20th 1706

preſent

EDMUND JENINGS, Benj^a^ Harriſon, Robert Carter Eſq^rs^, Mr Com^ry^ *Blair, Philip Ludwell & Henry Duke* Eſq^rs^

The amendments made by the Council to ye bill Entituled *an Act concerning the Church Clergy and other parochial affairs*. And alſo the amendm^ts^ propoſed at the laſt free Conference to be inſerted in place of other of ye f^d^ amendm^ts^ being conſidered and debated.

Reſolved

That ye Council do adhere to their ſaid amendm^ts^ to that Bill.

A bill Entituled *an Act preſcribing the method of appointing County Court Clerks, and for aſcertaining the fees of the Secry, County Court Clerks, Sherifs & Conſtables* read ye third time with ye amendments.

Reſolved

That the bill with ye amendments do paſs

Ordered

That ye Clerk of the Gen^ll^ Aſſembly carry the ſaid Bill to the houſe of Burgeſſes, and acquaint them that the Council have paſſed y^e^ ſame with ſeveral amendments to wch they deſire the concurrence of that houſe.

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Nathaniel Harriſon* & others who brought the bill Entituled *an Act preſcribing the method of appointing County*

County Court Clerks and afcertaining ye fees of the Sec^ry, County Court Clerks. Sheriffs and Conftables, and acquainted the Council that the Burgeſſes had agreed to their Hon^rs firſt amendment with an amendment to wch they deſire their Hon^rs concurrence, that to ſome others they had agreed & to others they could not agree, and therefore deſire ye Council to paſs ye bill without thoſe amendments

Ordered

That the Clerk of the General Aſſembly go to the houſe of Burgeſſes and acquaint them that the Council deſire a free Conference with that houſe on y^e ſubject matter of ye amendments to ye bill preſcribing the method of appointing County Court Clerks, and afcertaining the fees of the Secretary County Court Clerks Sherifs and Conſtables, and that they have appointed three of their members to manage that Conference with ſuch a number of Burgeſſes as the houſe ſhal think fitt, and that y^e ſ^d Managers will be ready to meet thoſe appointed by the Burgeſſes to morrow morning at 9 aclock in the Conference Room.

A meſſage to the Council from the houſe of Burgeſſes by Mr *Nath^ll Harrifon* and others who brought the book of proportions of the publick Levy, & deſired the Councils concurrence thereto.

And alſo acquainted the Council that the houſe agreed to the free Conference deſired by their Hon^rs on the Subject matter of their amendments to the Bill Entituled *an Act preſcribing the method of appointing County Court Clerks and for afcertaining the Sallary of the Secretary, County Court Clerks, Sherifs & Conſtables*, and had appointed managers to meet at time and place propoſed.

Ordered

That *Benj^a Harrifon, Robert Carter* and *Henry Duke* Eſq^rs be appointed managers at y^e ſaid Conference.

And then ye Council adjourned till to morrow morning 8 aclock.

Friday June 21^ſt 1706

preſent

EDMUND JENINGS, *Benj^a Harrifon, Robt Carter* Eſq^rs, *Ja Blair* Com^ry, *Philip Ludwell & Henry Duke* Eſq^rs

A meſſage to the Council from the Burgeſſes by Mr *Miles Cary* and others who brought a bill Entituled *an Act for raiſing a publick Levy*, to wch they deſire the Councils concurrence.

And y^e ſ^d bill was read ye firſt time and ordered a ſecond reading.

The Book of proportions of the publick Levy was read & Agreed to, and

Ordered, that the Clerk of the Gen^ll Aſſembly carry y^e ſame back to the houſe of Burgeſſes

And then ye Council adjourned during pleaſure.

THE Council being mett again

A meſſage was brought from the Burgeſſes to ye Council by Mr *Robert Beverley* and others, that the houſe deſired a free Conference with the Council on ye Subject matter of the laſt free Conference on the Amendments to the Bill Entituled *an Act preſcribing the method of appointing County Court Clerks & for afcertaining the fees of ye Secretary County Court Clerks, Sherifs and Conſtables.*

Ordered

That the Clerk of the Gen^ll Aſſembly go to the houſe of Burgeſſes and acquaint them that ye Council agree to the free Conference deſired by the houſe on the Subject matter of the laſt free Conference, and appoint y^e ſame at 6 aclock this afternoon.

A

A Bill Entituled *an Act for raiſing a publick Levy* read y^e^ ſecond time and Ordered a 3^d^ reading

And then ye managers went to the Conference with ye Burgeſſes and being Returnd *Robert Carter* Eſq^r^ Reported that they had mett the Burgeſſes at the free Conference on ye Subject matter of the amendm^ts^ to ye bill Ent *an Act preſcribing the method of appointing County Court Clerks & for aſcertaining ye Sallary of ye Secretary County Court Clerks, Sheriffs and Conſtables*, and that the Burgeſſes inſiſted on their diſagreeing to the 9th & 10th amendments propoſed by the Council to ye f^d^ bill, and had left ye bill with them.

Upon conſideration of wch Report

Reſolved

That ye Council do adhere to their amendments to ye f^d^ bill.

A meſſage from the Burgeſſes to ye Council by Mr *Miles Cary* & others who brought ſeveral Orders of the houſe relating to the Capitol, to wch they deſire the Councils concurrence, wch Orders are as follows

Ordered

That Mr *Henry Cary* do convey and make over unto Coll^o^ *Nicholſon* the Country houſes in the City of *Williamſburgh* according to ye ordinance of Aſſembly

Ordered

That all the Materials and Utenſils belonging to the Capitol which are now in the hands of the ſaid *Henry Cary* & neceſſary for ye Carrying on the building of the Governors houſe be appropriated to that uſe, and that all ye other Materials in his hands belonging to ye Capitol be ſold.

Ordered

That ye Sum of one hundred & five pounds due from y^e^ ſaid *Henry Cary* to the Country for the three Negros ſold him and all ye money ariſing upon the Sales of the houſes and materials aforeſaid be appropriated to ye carrying on ye Gov^rs^ houſe, and that he give account thereof to ye next Aſſembly.

Ordered

That y^e^ ſaid *Henry Cary* do fitt up the office belonging to ye houſe of Burgeſſes uſefull for preſerving the Records and papers thereto belonging.

Ordered

That y^e^ ſaid *Henry Cary* do cauſe the pavements in the piazzas to be taken up and new laid, and that the well be filled up, and the pavement of ye walk leading thereby finiſhed.

Ordered

That that part of the floor above the Steps in the houſe of Burgeſſes be made even with the other part of the floor, and that all the Benches therein be made broader.

And the ſaid Orders being read were agreed to with the following amendm^ts^ *viz* at 21^ſt^ line at ye end, add [and that he fitt up the Secretarys office, and Council office with ſuch preſſes barrs and desks as are wanting there, according to the direction of the Secretary and Clerk of the Council] and at ye end add

[*Ordered*

That ye f^d^ *Henry Cary* cauſe ſuch alteracons to be made in the General Court houſe as ſhal be directed by the Governor and Council.]*

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry y^e^ ſd orders to the houſe of Burgeſſes and acquaint them that ye Council have agreed thereto with ſome amendm^ts^ to wch they deſire the Concurrence of that houſe.

And then ye Council adjourned during pleaſure.

* The brackets are in the original.

AND

AND being again Mett

The bill Entituled *an Act for raiſing a publick Levy* was read ye third time and paſſed without amendment.

Ordered

That ye Clk of ye Gen^ll^ Aſſembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that ye Council have paſſed y^r^ ſame without amendment

And then ye Council adjourned till to morrow morning 8 aclock.

Saturday June ye 22^d^ 1706

Preſent

EDMUND JENINGS, *Benj^a^ Harriſon, Robt Carter* Eſq^rs^, *James Blair* Com^ry^, *Philip Ludwell & Henry Duke* Eſq^rs^

A meſſage to the Council from the Burgeſſes by Mr *Randolph* and others who brought the following Bills *viz* a bill Entituled *an Act for preventing frauds in the Cuſtoms and in clearing of ſhips and for aſcertaining the Collectors & Naval officers fees and to prohibite and prevent the caſting of ballaſt and dead Bodys into Rivers & Creeks*, A bill Entituled *an Act for eſtabliſhing the County Courts, and for regulating the proceedings therein, and directing ye manner of granting probates of Wills and adminiſtrations of Inteſtates Eſtates*, and a bill Entituled *an Act for the regulations and Settlement of ferrys*, and acquainted the Council that ye Burgeſſes had inſerted the amendm^ts^ in ye I^d^ bill as agreed upon.

And the ſaid bills and Amendments being examined,

Ordered

That the Clerk of the Gen^ll^ Aſſembly carry back the ſaid bills to ye houſe of Burgeſſes and acquaint them that ye Council have paſſed them as amended.

A meſſage from the Burgeſſes to the Council by Mr *Miles Cary* & others who acquainted their Hon^rs^ that ye houſe had agreed to ye orders ſent down by them concerning ye Gen^ll^ Court houſe and Secretarys and Council office.

A meſſage from the Burgeſſes to ye Council by Mr *Robert Beverley* & others that the houſe of Burgeſſes had inrolled 44 Bills and had Sent them up to their Hon^rs^ for their Satisfaction.

Ordered

That the Clerk of the General Aſſembly carry back y^e^ ſaid bills to the Burgeſſes and acquaint them that ye Council are Satisfyed that ye bills are truly Inrolled.

His Excellency having Signifyed to ye Council his inability to come to ye Capitol for paſſing the Acts of this Aſſembly by reaſon of his Indiſpoſition

The Council adjourned to his Excellencys houſe.

THE Council being mett at his Excellencys houſe

His Excellency preſent

Ordered

That the Clerk of the General Aſſembly carry the following meſſage in writing from his Excellency to the houſe of Burgeſſes.

Gentlemen

I have conſidered . . . . . [See J. of H. of B., pp. 233-4.]

Ordered

That the Clerk of the General Aſſembly go to the houſe of Burgeſſes and acquaint them that his Excell^cy^ commands their immediate attendance on him at his own houſe, and that they bring with them ſuch bills as are ready for his aſſent.

Where

Where the Burgeſſes being come

Mr *Speaker* addreſſed himſelf to his Excellcy to this effect

May it pleaſe yr Excellcy

In obedience to yr Excellcyes commands the Houſe of Burgeſſes are come to preſent to yr Excellcy ſeveral bills agreed upon this Seſſion by the Council and themſelves in order to receive yr Excellcys aſſent.

And accordingly the ſeveral following Bills being preſented, His Excellcy was pleaſed to give his aſſent thereto by Signing them in ye uſual manner the ſame being alſo Signed by the Speaker of ye Houſe of Burgeſſes *viz*

An Act directing the building . . . . . [For the following liſt of 41 Acts, ſee J. of H. of B., p. 234, l. 19 to end of p. 235.]

Upon preſenting to his Excellency *An Act for the better ſecuring the liberty of the Subject*, his Excellcy was pleaſed to ſay, *Gentlemen*, I am ſorry that I cannot paſs this Bill becauſe I am obliged by my inſtructions not to do it.

And then the Bill Entd *an Act repealing an Act made at a Genll Aſſembly held at* James City June *ye 8th 1680 Entd* an Act of free & General pardon, Indemnity and oblivion, being preſented to his Excellcy, he was pleaſed to ſay that he could not paſs that bill as being contrary to his Inſtructions.

And laſtly the Bill Entd *an Act for eſtabliſhing ye County Courts & for regulating & Settling the proceedings therein, and directing the manner of granting probates of Wills and adminiſtrations upon Inteſtates Eſtates* being preſented, His Excellency ſaid that he was ſorry he could not paſs that Bill wthout further advice.

And then his Excellency ſpoke to this effect

That he was Very Glad to ſee ſo great a Body of Laws agreed upon And paſſed this Seſſion, and particularly thank'd the Burgeſſes for the act directing the building a houſe for their Governor, and did not doubt but their proceedings would be very agreeable to her Majeſty and for the honr and Service of the Country. That as to thoſe bills which he had refuſed to paſs, he had no private intereſt of his own to engage him to it, but that at preſent he was tyed up from paſſing them, and he was perſwaded the Aſſembly would not deſire him to do a thing wch might occaſion him any hazard, aſſuring them that he would endeavour to obtain her Majties Leave for paſſing them at another Seſſion if it be thought convent

That he found it for her Majties Service to prorogue this Aſſembly no longer than to the fourth of *Septemr* next, but did not intend it ſhould meet then unleſs ſome extraordinary occaſion required. And that this Aſſembly is prorogued to the 4th day of *September* accordingly

Examined ℔

Wil Robertſon Cl Gen Aſſembly

481-410

AT A

GENERAL ASSEMBLY

begun & held at her Majeſtys royal Capitol the twenty fifth day of *October* 1710 in the ninth year of the reign of our Sovereign Lady *Anne* by the grace of God of *great Brittain France* & *Ireland* Queen defender of ye faith &c:

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1406—Vol. not pages.]

At a General Aſſembly begun & held at her Majeſtys royal Capitol the twenty fifth day of *October* 1710 in the ninth year of the reign of our Sovereign Lady *Anne* by the grace of God of *great Brittain France* & *Ireland* Queen defender of ye faith &c:

[*October* the 25th, 1710.]

Preſent

THE Honb^le^ *Alexander Spotſwood* Eſq^r^ her Majeſtys Lieu^t^ Governor and Commander in chief of *Virginia*, *Edmond Jennings*, *Dudley Diggs*, *Benjamine Harriſon*, *Robert Carter*, *Henry Duke*, *John Smith*, *John Lewis*, *William Churchill* & *William Byrd* Eſq^rs^

William Robertſon being appointed by the Honb^le^ the Lieu^t^ Governor to be Clerk of the general Aſſembly took the Oaths appointed by Act of parliament to be taken in Stead of the oaths of allegeance and Supremacie the Abjuration Oath, Subſcribed the teſt, and took the oath for the due adminiſtration of the Said office

Ordered

That the Clerk of the general Aſſembly go to the houſe of Burgeſſes and Command the members Immediatly to attend the Governor in the Council Chamber.

The Burgeſſes attending

The Governor was pleaſed to acquaint them that he was very glad to See So good an Appearance, and looked upon their ready concurrence in meeting So ſoon as a good Omen of their happy Concurrence in their future Conſultations, that they were to return to their houſe and make choice of a Speaker.

And then the Council adjourned till to morrow morning 10 a Clock

---

Thurſday October the 26th 1710

Preſent

THE Honb^le^ the Lieutenant Governor, *Edmond Jennings*, *Dudley Diggs*, *Benjamine Harriſon*, *Robert Carter*, *John Cuſtis*, *James Blair*, *Philip Ludwell*, *Henry Duke*, *John Smith*, *John Lewis*, *William Churchill* & *William Byrd* Eſq^rs^

A meſſage from the Burgeſſes to the Governor by Mr *William Robinſon* and others that the houſe had made choice of a Speaker and waited his hon^rs^ Commands when he would be pleaſed to have him preſented.

Ordered

That the Clerk of the general aſſembly go to the houſe of Burg^s^ and acquaint them that the Governor commands their Immediate attendance in the Council Chamber.

The houſe of Burg^s^ attending preſented *Peter Beverly* of the County of *Glofter* Eſq^r^ as their Speaker, who by a Speech Excuſed himſelf and prayed the Governor would be pleaſed to direct the houſe to make a new Choice, And being Approved of by the Governor He then addreſſed himſelf to his hon^r^ in the name of all the Burg^s^ congratulating his Hon^rs^ arrival in this Government, and in behalf of the ſ^d^ houſe made the uſual petitions for liberty of Speech in their debates, freedom from arreaſts in their perſons and

and Servants, and of having free Accefs to his Hon^r^ perfon, and in behalf of himfelf that none of his failings might redound to the prejudice of the houfe. To which the Governor was pleafed to anfwer that the Burg^s^ might be affured that all their legal rights and priviledges Should be maintained and continued to them.

And then the Governor made the following Speech to the affembly

Gentlemen

The high honour I receive . . . . . [See J. of H. of B., 1702/3-1712, pp. 240-1.]

And then the Council adjourned till to Morrow morning 10 a Clock

---

Friday October the 27th 1710

Prefent

AS YESTERDAY

A Meffage from the houfe of Burg^s^ to the Governor by Mr *William Robinfon* And others praying that a new writt may be iffued for Electing a Burgefs for the County. of *Richmond* in the room of *William Tayloe* Genl deceafed, and alfo that a new writt may be iffued for Electing a Burgefs for the County of *York* in the room of *Thomas Ballard* gent. deceafed.

A petition of *James Adams* Interpreter to the *pamunkey* and *Chicahominy* Indians praying his ufual allowance of Sallary may be levyed for him read and referred To the Confideration of the houfe of Burgeffes.

And then the Council adjourned till tomorrow morning 10 a Clock

---

Saturday October the 28th 1710

Prefent

AS YESTERDAY

The Claim of *Robert Carter* Efq^r^ for a negro tryed and Executed Since laft Seffion of Affembly read and referred to the Confideration of the houfe of Burgeffes

And then the Council adjourned till *Munday* morning 10 a Clock

---

Munday October the 30th 1710

Prefent

THE Honourable the Lieutenant Governor, *Edmond Jennings*, *Benjamine Harrifon*, *James Blair*, *Philip Ludwell*, *Henry Duke*, *John Smith* and *William Byrd* Efq^rs^

The propofitions from the County of *Norfolk*

The feveral propofitions from *King William* County

The propofitions and grievances from *New Kent* County &

The propofitions from *Henrico* County

were Severally read & referred to the Confideration of ye houfe of Burg^s^

The petition of *Chicceley Corbin Thacker*, *George Clough* and *William Robertfon* praying Allowance for their Attendance as Clerks on the tryal of the *Tufcoruro* indians & alfo

A petition of *John Clayton* praying allowance for his fervices in profecuting the *Tufcoruro* Indians.

read and referred to the confideration of the houfe of Burg^s^

The petition and Claim of *Edward Rofs* and alfo

The Claim of *Benjamine Harrifon* Efq^r^ for Expences & fervices about y^e^ *Tufcoruro* Indians read and referr'd to the Confideration of the houfe of Burg^s^

The

The Governor abſent

A motion being made that a Bill be prepared to prevent the cutting cropping or defacing of tobacco hogſheads on board of Ships

Reſolved

That a Bill be prepared accordingly and that Mr Commiſſary *Blair* and *William Byrd* Eſqr do prepare and bring in the ſame.

And then the Council adjourned till to morrow morning 9 a Clock

---

Tueſday October the 31ſt 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Benjamine Harriſon, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd* Eſqrs

Reſolved and according ordered

That a Bill be prepared and brought in to prevent the deſtroying and Murdering of a baſtard Children purſuant to the Statute made in ye reign of King *James* the firſt

The petition of *John Clayton, John Holloway* and *Richd Wharton* praying allowance for their Services on the tryal of the negroe condemned for levying war in this Colony read and referr'd to the conſideration of the houſe of Burgeſſes.

The petition of *William Kaidyee* praying allowance for glazing work done about the Capitol read

and referr'd to the Conſideration of the houſe of Burgeſſes.

And then the Council adjourned till to morrow morning 10 a Clock

---

Wedneſday November the 1ſt 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Benjamine Harriſon, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & W Byrd* Eſqrs

The petition of *David Menetrie* for allowance of the Sallary and Charges due to *John Inch* late keeper of the publick goal.

A petition of *David Menetrie* praying allowance of Services done about the Capitol and priſon.

A petition of *Henry Cary* praying that he may be diſcharged of a debt due to Mr *Micajah Perry* for Sundry goods ſent for the uſe of the Capitol.

A petition of *Henry Cary* praying that his Accounts of charges about the Capitol may be adjuſted and Setled and

A petition of the ſd *Henry Cary* praying that his accts of diſburſements abt the Governors houſe may be Examined & ſetled

were Severally read and referred to the conſideration of the houſe of Burge

And then the Council adjourned till to morrow morning 10 a Clock

---

Thurſday November the 2d 1710

Preſent

THE Governor, *Edmond Jennings, Dudley Diggs, Benja Harriſon, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis* and *William Byrd* Eſqrs

The propoſitions and grievances from *York* County read & referred to the Conſideration of the houſe of Burgeſſes

The petition of *Thomas Jones* atturney of *Jno Redwood* late keeper of the publick goal praying that the Arrears of Sallary due to the ſd *Redwood* may be paid to him read and referred to the Conſideration of the houſe of Burg.

A

A Bill Entd *an act to prevent the deſtroying and murdering of baſtard Children* read the firſt time and

Ordered to be read a ſecond time.

The petition of *Katherine Howard* praying allowance for Entertaining Sundry Indians read and

referred to the Conſideration of the houſe of Burgeſſes.

And then the Council adjourned till to morrow morning 10 a Clock

---

Friday November the 3d 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Robert Carter, Philip Ludwell, John Smith, William Byrd* Eſqrs

A petition of *Chicceley Corbin Thacker* praying his uſual allowance as Clerk of the ſecretarys office read & referred to the conſideration of ye houſe of Burgs

And then the Council adjourned till to morrow morning 10 a Clock

---

Saturday November the 4th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Robert Carter, James Blair* And *Philip Ludwell* Eſqrs

The Council mett and adjourned till *Munday* Morning 10 a Clock

---

Munday November the 6th 1710

Preſent

THE Governor, *Edmond Jennings, Robert Carter, James Blair, Philip Ludwell* and *John Smith* Eſqrs

A meſſage from the houſe of Burgs to the Governor by Mr *William Robinſon* and others praying that a new writt may iſſue for Electing two Burgeſſes to Serve for *King* and *Queen* County in the room of Mr *William Byrd* and Mr *John Holloway* who are found not duly Elected.

The Governor abſent

A Bill Entd *an Act to prevent the deſtroying & murdering of baſtard Children* read the ſecond time and amended.

Ordered

That the Bill be Engroſſed.

And then the Council adjourned till to morrow morning 10 a Clock

---

Tueſday November the 7th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Robert Carter, James Blair* and *John Smith* Eſqrs

The Council met and adjourned till to morrow morning ten a Clock

Wedneſday

Wedneſday November the 8th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, James Blair, Robert Carter* and *John Smith* Eſqrs

A petition of Mr *Chicceley Corbin Thacker* Clerk of the Secretarys office praying allowance for iſſuing of thirty writts for Election of Burgeſſes read and referred to the conſideration of the houſe of Burgs

The Claim of Colo *Benja Harriſon* for Expences about the *Tuſcoruro* Indians being read.

Reſolved

That the Same be recommended to the houſe of Burgs and that ye Clerk of the general aſſembly carry the following Meſſage to the houſe.

By the Honble Council

Mr Speaker *and Gent. of the houſe of Burgeſſes*

It having been found . . . . . [See J. of H. of B., p. 259.]

John Lewis Eſqr preſent

A Bill Entd *an act to prevent the deſtroying and murdering of baſtard Children* read the third time

Reſolved

That the Bill do paſs

William Byrd Eſqr preſent

Ordered that the Clerk of the general Aſſembly carry the ſd Bill to the houſe of Burgs and deſire their concurrence to the Same.—

And then the Council adjourned till to morrow morning 10 a Clock

---

Thurſday November the 9th 1710

Preſent

THE Governor, *Edmond Jennings, Dudley Diggs, Benjamine Harriſon, James Blair, Philip Ludwell, John Smith, John Lewis* and *William Byrd* Eſqrs

A motion being made that leave be given to bring in a Bill to prevent hogs rooting within the City of *Williamſburgh* and certain places adjacent

Ordered

That a Bill be brought in conformable to the ſd motion and that *Edmond Jennings & William Byrd* Eſqrs prepare and bring in the Same.

A meſſage from the houſe of Burgs to the Governor by Mr *Allerton* and others who brought the following Addreſs

To the Honble Allexander Spotſwood *Eſqr her Majtys Lieut Govr of this her Majtys moſt antient Colony & dominion of* Virginia

May it pleaſe Your Honr

We her Majeſtys . . . . . [See J. of H. of B., p. 260.]

Ordered

That the Clerk of the general Aſſembly carry the following Meſſage from the Governor to the houſe of Burgs in anſwer to their Addreſs

Mr Speaker *and gent of the houſe of Burgeſſes*

In anſwer to your addreſs . . . . . [See J. of H. of B., p. 262.]

And then the Council adjourned till to morrow morning 10 a Clock

Friday

Friday November the 10th 1710

Prefent

EDMOND JENNINGS, Dudley Diggs, Benj. Harrifon, James Blair, Philip Ludwell, John Smith Eſqrs

A Meſſage from the houſe of Burgs to the Council by Mr *Merrywether* and others who brought a Bill Entd *an Act repealing an act made at her Majefty Queen* Anne's *Royal Capitol the twenty third day of* October *in the fourth year of her Majeſtys reign Entd* an Act to prevent killing of deer At unſeaſonable times, And a Bill Entd *an act for repealing part of an Act Entd* an Act concerning the granting Seating and planting, and for fetling the bounds & titles of lands and for preventing unlawful Shooting and ranging thereupon to which they deſire the Councils Concurrence.

Prefent the Governor *John Lewis & William Byrd* Eſqrs

A Bill Entd *an act repealing an act made at her Majeſties' Queen* Anne's *Royal Capitol the 23d day of* October *in the 4th year of her reign Entd* an act to prevent killing of deer at unſeaſonable times read the firſt time and

Ordered a ſecond reading.

A Bill Entd *an Act for repealing part of an Act Entd* an act concerning the granting Seating and planting of land and for Setling the titles & bounds of lands, and for preventing unlawful Shooting and ranging thereupon read ye firſt time &

Ordered a ſecond reading.

A petition of the Inhabitants of *Charles City* County and alſo

A petition of Several inhabitants of *James City* County living on the South Side *Chicahominy* river were preſented and read, praying that that part of *James City* County lying on the South Side *Chicahominy* river may be Joined to *Charles city* County and thereupon

Ordered that the Clerk of the genll Aſſembly carry the following meſſage from the Governor and Council to the houſe of Burgs relating to the ſd petitions.

Mr Speaker *and Gent of the houſe of Burgs.*

We have recd a petition . . . . . [See J. of H. of B., p. 263.]

And then the Council adjourned till to Morrow morning Ten a Clock.

Saturday November the 11th 1710

Prefent

EDMOND JENNINGS, Dudley Diggs, Benja Harrifon, James Blair, Philip Ludwell, John Smith, John Lewis and *William Byrd* Eſqrs

A petition of *Samuel Thomſon* of *Surry* County praying allowance for a negro Slave of his outlawed and run away read and

Referred to the conſideration of the houſe of Burgs

And then the Council adjourned till to *munday* morning ten a Clock

---

Munday November the 13th 1710

Prefent

DUDLEY DIGGS, Benjamine Harrifon, James Blair, Philip Ludwell, John Smith, John Lewis & William Byrd Eſqrs

A Bill Entd *an act to prevent hogs rooting within the City of* Williamſburgh *and certain places adjacent* read the firſt time and . . . . .

Ordered a ſecond reading

And then the Council adjourned till to morrow morning Ten a Clock

Tueſday

Tueſday November the 14th 1710

Preſent

DUDLEY DIGGS, Benjamine Harriſon, James Blair, Philip Ludwell, John Smith, John Lewis and *William Byrd* Eſqrs

A petition of *James Adams* Interpreter to the *Pamunkey* and *Chicahominy* Indians praying an allowance of his ſallary read & referr'd to the Conſideracon of ye houſe of Burg.

Preſent *Edmond Jennings* Eſqr

A meſſage from the Burgs to the Council by Mr *Chriſtopher Robinſon* and others Accquainting their Hons that the houſe have agreed to the Bill Sent from their Hons Entd *an Act to prevent the deſtroying and murdering of baſtard Children* wth Some Amendments to which they deſire the Councils concurrence, and alſo that the Burgs have paſt a Bill Entd *an act aſcertaining the currant rates of foreign Coines in this dominion* to which they deſire the Councils Concurrence.

Preſent the Honble the Lieut Governor

An Engroſſed Bill from the Burgeſſes Entd *an act for aſcertaining the Currant rates of foreign coins in this dominion* read the firſt time and

Ordered a ſecond reading

Preſent *Henry Duke* Eſqr

A Bill Entd *an act repealing an act made at her Majeſties Queen* Anne's *Royal Capitol the 23d day of* October *in the 4th year of her Majeſties reign Entd* An act to prevent killing of deer at unſeaſonable times read the 2d time and

Ordered a ſecond reading

Mr *Merrywether* and others brought the following written Meſſage to the Governor from the houſe of Burgeſſes

To the Honble Alexander Spotſwood *her Majeſties Lieut. Governor of her Colony and dominion of* Virginia

May it pleaſe Your Honour

We her Majeſties moſt dutyful . . . . . [See J. of H. of B., p. 265.]

And then the Council adjourned till to morrow morning Ten a Clock

---

Wedneſday November the 15th 1710

Prēnt

EDMOND JENNINGS, Dudley Diggs, Benjo Harriſon, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Eſqrs

The amendments made by the Burgs to the Bill Entd *an act to prevent* ye *deſtroying and murdering of baſtard Children* being read were agreed to wth Some amendments.

Ordered

That the Clerk of the genll Aſſembly carry the fd Bill to the Burgeſſes And acquaint them that the Council have agreed to their Amendments wth Some Amendments to which they deſire the Concurrence of that houſe.

A Bill Entd *an act to prevent hogſrooting within the City of* Williamſburgh *and certain places adjacent* read the ſecond time and amended at the board.

Ordered that the Bill wth the Amendments be Engroſſed.

A meſſage from the Burgs by Mr *Holloway* and others that the houſe had paſt a Bill Entd *an Act for prevention of abuſes in tobacco ſhipt on freight and for the more certain freighting of tobacco* to wch they deſire the Councils concurrence.

A meſſage from the Burgeſſes by Mr *John Robinſon* and others that the houſe have agreed to the amendments made by the Council to their Amendments to the Bill Entd *An Act to prevent the deſtroying and murdering of baſtard Children.*

Ordered

Ordered

That the Amendments be inſerted in the Bill and that the Clerk of the general aſſembly carry the ſd Bill to the Burgs and acequaint them that the Council have inſerted the Same Amendments in the Bill.

An Engroſſed Bill from the Burgs Entd *an act for prevention of abuſes in tobacco Shipt on freight and for the more certain freighting of tobacco* read the firſt time and

Ordered a ſecond reading

A Bill Entd *an act for aſcertaining the Currant rates of foreign Coins in this dominion* read the Second time and committed for amendments to *Dudley Diggs James Blair* and *William Byrd* Eſqrs

And then the Council adjourned till to morrow morning 10 a Clock

---

Thurſday November the 16th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Philip Ludwell, Henry Duke, Benjamine Harriſon, James Blair, John Smith, John Lewis & William Byrd* Eſqrs

A Bill Entd *an Act for prevention of abuſes in tobacco Shipt on freight and for the more certain freighting of tobacco* read the 2d time and committed for amendmts to *Benjamine Harriſon, Philip Ludwell* and *John Smith* Eſqrs

Robert Carter Eſqr preſent

Dudley Diggs from the Committee for amending the Bill Entd *an Act for aſcertaining the Currant rates of foreign Coines in this dominion* reported the amendments made to the ſd Bill and the Same were read.

Ordered

That the Bill wth the Amendments be read a third time to morrow

An Engroſſed Bill Entd *an Act to prevent hogs rooting within the City of* Williamſburgh *and certain places adjacent* read the third time.

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the general Aſſembly carry the ſd Bill to the houſe of Burgs and deſire their concurrence thereto.

Ordered

That *Robt Carter* Eſqr be appointed one of the Committee for Amending the Bill Entd *an Act for preventing Abuſes in tobacco ſhipt on freight and for the more certain freighting of tobacco* in the room of *Philip Ludwell* Eſqr

And then the Council adjourned till to morrow morning 10 a Clock

---

Friday November the 17th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Benjn Harriſon, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, Jno Lewis & Wm Byrd* Eſqrs

Ordered

That the Clerk of the general Aſſembly carry ye following Meſſage from the Council to the houſe of Burgeſſes.—

Mr Speaker *and Gent. of the houſe of Burgeſſes*

The Conſpiracie of the Negroes . . . . . [See J. of H. of B., p. 270.]

And then the Council adjourned till to morrow morning 10 a Clock

Saturday

Saturday November the 18th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Benj*ª *Harriſon, Robert Carter, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis &* W*m Byrd* Eſqrs

A Bill Entd *an Act for prevention of abuſes in tobacco Shipt on freight and for the more certain freighting of tobacco* being reported wth the Amendmts was read ys 3d time

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the general Aſſembly carry the fd Bill to the houſe of Burgs and accquaint them that the Council have paſt the Same with Sundry Amendments to which they deſire the concurrence of that houſe.

A Bill Entd *an Act for Setling and aſcertaining the currant rates of foreign Coins in this dominion* read the third time with the Amendments

Reſolved

That the Bill do paſs.

Ordered

That the Clerk of the general Aſſembly carry the fd Bill to the Burgs And accquaint them that the Council have paſt the Same wth Sundry Amendments to which they deſire the concurrence of that houſe.

And then the Council adjourned till *munday* morning 10 a Clock

---

Munday November the 20th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, Benj*ª *Harriſon, Robert Carter, James Blair, Philip Ludwell, John Smith, John Lewis, William Byrd* Eſqrs

A Meſſage from the houſe of Burgs to the Council by Mr *Eskridge* & others who brought the following Bills *Viz*t *an Act to Explain part of an Act of Aſſembly Entd* An Act for Eſtabliſhing the general Court and for regulating and Setling ye proceedings therein, And alſo a Bill Entd *an Act to Oblige the miniſter of the pariſh of* St Stephens *in the County of* King *and* Queen *to officiate at the Chappel of the fd pariſh and for building a Church,* to which they deſire the concurrence of the Council.

A Bill Entd *an Act to Explain part of an Act of Aſſembly Entd* an Act for Eſtabliſhing the Genll Court and for regulating and ſetling the proceedings therein read the firſt time and

Ordered a Second reading

A Bill Entd *an Act to oblige the miniſter of the pariſh of* St Stephens *in ye County of* King *and* Queen *to officiate at the Chappel in the fd pariſh and for building a Church* read the firſt time and

Ordered a ſecond reading

Preſent the Governor

A Meſſage from the houſe of Burgs to the Governor by Mr *Allerton* & others praying that a new writt may iſſue for Electing a Burgs for the County of *Charles City* in the room of *Thomas Parker* Gent. deceaſed.

A meſſage from the houſe of Burgs to the Council by Mr *Randolph* & others who brought a Bill Entd *an Act Eſtabliſhing the County Courts and for regulating & ſetling the proceedings therein and for directing the manner of granting probats of Wills And Adminiſtration of Inteſtates Eſtates and for appointing rolling houſes and publick landings* to which they deſire the Concurrence of the Council.

And then the Council adjourned till to morrow morning Ten a Clock

Tueſday

Tueſday November the 21ſt 1710

Preſent

AS YESTERDAY

An Engroſſed Bill from the Burgs Ents *an Act for Eſtabliſhing County Courts for regulating and Setling the proceedings therein and directing the manner of granting probats of Wills and Adminiſtration of Inteſtates Eſtates and for appointing rolling houſes and publick landings* read the firſt time and

Ordered a ſecond reading

Preſent the Governor

Ordered

That the Clerk of the general Aſſembly carry the following meſſage from the Governor to the houſe of Burgeſſes.

Mr Speaker *and Gent. of the houſe of Burgeſſes*

Her Majeſtie having thought fitt . . . . . [See J. of H. of B., p. 274.]

A petition of the veſtry of *Bruton* pariſh praying the Aſſiſtance of the General Aſſembly for building and enlarging their Church read and referred to the Conſideration of the houſe of Burgeſſes.

Reſolved

That a Bill be prepared to prevent the deſertion of Seamen from her Majeſtys Ships of war and Merchant Ships—

A Bill Ents *an Act to Explain part of an Act of Aſſembly Ents* an Act for Eſtabliſhing the general Court and for regulating and ſetling the proceedings therein read the ſecond time and committed for amendments to *Philip Ludwell & John Lewis* Eſqrs

A Bill Ents *an Act to oblige the miniſter of the pariſh of* St Stephens *in the County of* King *and* Queen *to officiate at the Chappel in the Sd pariſh and for building a Church* read the Second time.

Ordered that the Bill ly upon the Table

And then the Council adjourned till to Morrow morning 10 a Clock

---

Wedneſday November the 22d 1710

Preſent

AS YESTERDAY

Philip Ludwell Eſqr reported the Amendments made to the Bill Ents *an Act to Explain part of an Act of Aſſembly Ents* An Act for Eſtabliſhing the General Court and for regulating and Setling the proceedings therein and the fd Amendments being diſagreed unto, the ſaid Bill was read the third the third time.

Reſolved

That the Bill do paſs without amendment

Ordered

That the Clerk of the general Aſſembly carry the fd Bill to the houſe of Burgs And Accquaint them that the Council have paſt the Same without any Amendment.

A meſſage from the houſe of Burgeſſes to the Council by Mr *Holloway* and others that the Burgeſſes had taken into conſideration the amendments made by their Honrs to the Bill Ents *an Act for prevention of abuſes in tobacco ſhipt on freight and for the more Certain freighting of tobacco.* And alſo to the Bill Ents *An Act for Setling and Aſcertaining the currant rates of foreign Coins in this dominion* And had agreed to Sevl of the fd amendments, to Some they had diſagreed and to others they had Agreed wth Several amendments of their own and deſired that the Council would not inſiſt on Such of their Amendments as that houſe had diſagreed to, and that they would agree to the Amendments made by that houſe to their Honrs Amendments

Reſolved

That a Conference be deſired wth the Burgs on the Subject matter of the Amendments to the two bills aforementioned, and that *Dudley Diggs, Robert Carter Philip Ludwell*

Ludwell and *William Byrd* Eſq^rs do manage the ſ^d conference to morrow morning at 10 a Clock in the conference room and

Ordered

That the Clerk of the general Aſſembly go to the houſe of Burgeſſes & deſire the ſaid conference accordingly and accquaint them that the Council have Appointed four of their members to meet Such a number of the Burg^s as the houſe ſhall think fitt for managing the ſ^d conference at the time and place aforementioned.

A meſſage from the houſe of Burg^s to the Council by Mr *Holloway* & others that the houſe had agreed to the conference deſired by their Hon^rs and that their managers would be ready to meet thoſe of the Council at the time and place appointed.

And then the Council adjourned till to Morrow morning 10 a Clock.

Thurſday November the 23^d^ 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs*, *Benj^a Harriſon*, *Robert Carter*, *James Blair*, *Philip Ludwell*, *John Smith*, *John Lewis*, *William Byrd* Eſq^rs

The mangers appointed for the conference wth the houſe of Burgeſſes having prepared Sev^ll^ reaſons to be offered at the ſ^d conference the Same were read and approved off.

Then the Council adjourned during pleaſure and the managers went to the Conference—

THE Council being mett

A Bill Ent^d^ *an Act prohibiting Seamen being harboured & entertained on Shore* read the firſt time and

Ordered a Second reading.

A Bill Ent^d^ *an Act for the further reſtraint of tipling houſes and other diſorderly places* read the firſt time and

Ordered a ſecond reading

Dudley Diggs Eſq^r from the conference wth the Burg^s on ye amendments propoſed by that houſe to the Councils Amendments to the Bill Ent^d^ *an Act for prevention of abuſes in tobacco Ship'd on freight and for the more certain freighting of tobacco* reported that they had mett the Burgeſſes and offered Sev^l^ reaſons for their diſagreeing to the Amendments propoſed by that houſe, and had left the Bill & Amendments with the Burgeſſes, and alſo reported that they had offered reaſons for the Councils adhereing to their fifth Amendment, to the Bill for the Setling and Aſcertaining the Currant rates of foreign Coins in this dominion and had left the Bill with the Burgeſſes.

Preſent the Governor

Ordered

That the Clerk of the General Aſſembly carry the following Meſſage from the Governor to the houſe of Burgeſſes

*M^r^* Speaker *and Gent of the houſe of Burgeſſes*

It hath been the care . . . . . [See J. of H. of B., p. 277.]

And then the Council adjourned till to morrow morning Ten a Clock

---

Friday November the 24th 1710

Preſent

AS YESTERDAY

A meſſage from the houſe of Burg^s to the Council by Mr *Halloway* and others That upon report of the conference with their Hon^rs in relation to the Amendments to the Bill Ent^d^ *an Act for preventing of abuſes in tobacco Ship'd on freight and for the more certain freighting of tobacco* that houſe had paſt a Reſolve which they had Ordered to be left with their Hon^rs together wth the Bill, that the houſe had

had Agreed to the Amendments propoſed by the Council to the Bill Entd *an Act for ſetling and Aſcertaining the currant rates of foreign Coins in this dominion* and had inſerted them in the Bill. Alſo that the houſe had paſt a Bill Entd *an Act to Enable* Eliz: Harriſon *widow and adminiſtratrix of the Eſtate of* Benja Harriſon *late of the County of* Charles City *gent. deceaſed to Sell certain Lands and negros late of the Eſtate of the fd* Benja Harriſon *for payment of the debts of the fd* Benja: And alſo a Bill for Aſcertaining the bounds between *Lancaſter* and *Northumberland* Countys to which they deſire the Concurrence of the Council.

A Bill Entd *an Act for Eſtabliſhing the County Courts for regulating & ſetling the proceedings therein, and for directing the manner of granting of probats of Wills, and Adminiſtrations of inteſtats Eſtates and for appointing rolling houſes and publick landings* read the Second time and Sevll Amendments being offered and a debate ariſing thereon.

Reſolved

That the Bill do ly till *Munday* for further conſideration

Then the Council took into Conſideration the Reſolve of the houſe of Burgs on the Bill Entd *an Act for prevention of abuſes in tobacco Shipt on freight and for the more Certain freighting of Tobacco.*

Reſolved

That the Council do not inſiſt on their diſſagreement to the Burgeſſes Amendments to their Sixth Amendment to the fd Bill but that the Bill be paſt wth the Amendment propoſed by that houſe.

Ordered

That the Clerk of the general Aſſembly carry to the houſe of Burgs the Bill Entd *an Act for prevention of abuſes in tobacco Shipt on freight and for ye more certain freighting of tobacco,* and acquaint them that the Council do not inſiſt on their diſſagreemt to the Amendments made by that houſe to their Honrs Sixth amendment to the fd Bill and have paſt the Bill as Amended.

The Council having Examined the amendments to the Bill for Setling and Aſcertaining the currant rates of foreign coins in this dominion.

Ordered

That the Clerk of the general Aſſembly carry the fd Bill to the houſe of Burgeſſes and Accquaint them that the Council are Satisfyed that the Amendments are truly inſerted.

A Bill from the Burgs Entd *an Act to Enable* Eliz: Harriſon *widow and adminrix of* Benja Harriſon *late of the County of* Charles City *Gent. deceaſed to ſell certain Lands & ſlaves late the Eſtate of the fd* Benja *for payment of the debts of the fd* Benja read the firſt time and

Ordered a ſecond reading

A Bill from the Burgs Entd *an Act for aſcertaining the Bounds between the Countys of* Northumberland *and* Lancaſter read the firſt time and

Ordered a ſecond reading

A Bill Entd *An Act for prohibiting Seamen being harboured or Entertained on Shore* read the Second time and Committed for Amendments.

A Bill Entd *an Act for the further reſtraint of tipling houſes and other diſorderly places* read the Second time and Committed for Amendments

And then the Council adjourned till to morrow morning 10 a Clock

---

Saturday November the 25th 1710

Preſent

EDMOND JENNINGS, Dudley Diggs, Benja Harriſon, Robert Carter, James Blair Comry, *John Smith, John Lewis, William Byrd* Eſqrs

A meſſage from the Burgeſſes by Mr *Holloway* and others who brought a Bill Entd *an Act for raiſing a duty on liquors and Slaves* to which they deſire the Councils Concurrence.

A

A Bill Entd *an Act for raiſing a duty on Liquors and Slaves* read the firſt time & *Ordered* a Second reading

The Amendments to the Bill Entd *an Act for the further reſtraint of tipling houſes and other diſorderly places* being read

Ordered

That the Bill with the amendments be Engroſſed.

And then the Council adjourned till *munday* morning 10 a Clock

---

Munday November the 27th 1710

Prẽnt

THE Honourable *Allexander Spotſwood* her Majeſtys Lieutenant Governor, *Edmond Jennings, Dudley Diggs, Robert Carter, James Blair* Comſy. *Philip Ludwell, John Smith* & *William Byrd* Eſqrs

Ordered that the Clerk of the general Aſſembly carry the following meſſage from the Governor to the houſe of Burgeſſes

Mr Speaker *and Gent of the houſe of Burgeſſes*

Your ready Concurrence . . . . . [See J. of H. of B., p. 281.]

Ordered that the Clerk of the general Aſſembly carry the following meſſage from the Governor to the houſe of Burgeſſes

Mr Speaker *and Gentlemen Of the houſe of Burgeſſes*

At the beginning . . . . . [See J. of H. of B., p. 281.]

A Bill Entd *an Act to Enable* Eliz: Harriſon *widow and adminrix of the Eſtate of* Benja Harriſon *late of the County of* Charles City *Gent deceaſed to ſell certain lands and Slaves late the Eſtate of the ſd* Benja *for payment of the debts of the ſd* Benja read the Second time and

Ordered a Third reading

The Amendments to the Bill Entd *an Act for prohibiting Seamen being harboured or entertained on Shore* being read and agreed to

Ordered that the Bill with the amendments be Engroſſed.

A Bill Entd *an Act for the further reſtraint of tipling houſes and other diſorderly places* read the third time

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the general Aſſembly carry the ſaid Bill to the houſe of Burgeſſes and deſire their concurrence thereto.

A petition of *Robert Ruffin* praying a further allowance for his Negroman *Will* who diſcovered the late conſpiracie of the negro's in the County of *Surry* read and referred to the Conſideration of the houſe of Burgeſſes

And then the Council adjourned till to morrow morning 10 a Clock

---

Tueſday November the 28th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs,* Mr Comry *Blair, Philip Ludwell, John Smith* and *William Byrd* Eſqrs

A Bill Entd *an Act to Enable* Eliz: Harriſon *widow and Adminrix of the Eſtate of* Benjamine Harriſon *late of the County of* Charles City *Gent. decd to Sell certain lands and Slaves late the Eſtate of the ſd* Benja *for payment of the debts of the ſd* Benja read the third time

Reſolved

That the Bill do paſs

Ordered

Ordered

That the Clerk of the general Aſſembly carry the ſd Bill to the houſe of Burgs and accquaint them that the Council have paſt the Same wthout amendment.

Preſent the Governor

A Meſſage to the Governor from the Burgs by Mr *Holloway* & others that the houſe had prepared an addreſs to her majeſty and alſo an addreſs to his Honr and deſire to know when they Shall attend his Honr to preſent the Same

To which the Governor was pleaſed to accquaint the meſſengers that he would let them know to morrow.

And then the Council adjourned till to morrow morning 10 a Clock

---

Wedneſday Novr the 29th 1710

Preſent

THE Honble *Allexander Spotſwood* Eſqr her Majeſtys Lieut Governor, *Edmond Jennings, Dudley Diggs, Philip Ludwell,* Mr Comry *Blair, John Smith, William Byrd* Eſqr

Ordered that the Clerk of the general Aſſembly go to the houſe of Burgeſſes & accquaint them that according to their Meſſage of yeſterday the Governor is now ready in the Council Chamber to receive their addreſs.

Then the houſe attended ys Govr and Mr *Speaker* addreſſed himſelf to the Governor as follows.

May it pleaſe yr Honr

We her Majeſtys moſt dutyful and Loyal Subjects . . . . . [See J. of H. of B., p. 283.]

And then Mr *Speaker* having preſented to the Governor the addreſs of the Burgs to her Majeſty, the Governor was pleaſed to Say that he would by the firſt opportunity Tranſmitt their addreſs to her Majeſty and did not doubt but it would be graciouſly received.

A meſſage from the houſe of Burgs to the Council by Mr *Holloway* and others who brought the following Bills, to witt, A Bill Entd *an Act for raiſing a publick revenue for the better Support of the Government of this her Majeſtys Colony and dominion of* Virginia, A Bill Entd *an Act for ſetling the Bounds and titles of Land and for preventing unlawful Shooting and ranging thereupon,* And a Bill Entd *an Act to diſſolve the preſent veſtry of the pariſh of* Accomack to which they deſire the Councils concurrence; alſo that the houſe had inſerted ys amendments agreed on in the Bill for prevention of abuſes in Tobacco Shipt on freight.

Ordered

That the Clerk of the genll Aſſembly carry the following meſſage from the Council to the houſe of Burgeſſes.

Mr Speaker *and Gent of the houſe of Burgeſſes*

The Council having taken . . . . . [See J. of H. of B., pp. 286-7.]

And then the Council adjourned till to morrow morning Ten a Clock

---

Thurſday November the 30th 1710

Preſent

EDMOND JENNINGS, *Dudley Diggs, James Blair* Comty, *Philip Ludwell, John Smith, William Byrd* Eſqrs

A Bill Entd *an Act for prohibiting Seamen being harboured or Entertained on Shore* read the third time.

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the general Aſſembly carry the ſd Bill to the houſe of Burgeſſes and deſire their concurrence thereto

An

An Engroſſed Bill from the Burgˢ Entᵈ *an Act for raiſing a publick revenue for the better Support of the Government of her Majeſtys Colony and dominion of* Virginia read the firſt time and

Ordered a Second reading

An Engroſſed Bill from the Burgˢ Entᵈ *an Act for Setling the titles and bounds of land and for preventing unlawful Shooting and ranging thereupon* read the firſt time and

Ordered a ſecond reading

An Engroſſed Bill from the Burgˢ Entᵈ *an Act to diſſolve the pretended Veſtry of* Accomack read the firſt time and.

Ordered a Second reading.

A Meſſage from the Burgˢ by Mʳ *Holloway* and others to the Governor That the houſe had prepared an addreſs to give his Honʳ an Account of their proceedings and deſired to know when they Shall attend to preſent it.

To which the Governor was pleaſed to anſwer he would give the houſe notice by a meſſage.

Ordered

That the Clerk of the general Aſſembly go to the houſe of Burgeſſes & Accquaint them yᵗ the Governor is now ready in the Council chamber to receive their addreſs.

The houſe attending Mʳ *Speaker* addreſſed himſelf to the Governor as follows

We her Majeſtys moſt truly Loyal . . . . . [See J. of H. of B., pp. 285-6.]

To which the Governor was pleaſed to anſwer that the matters contained in this Addreſs and in that of Yeſterday gave Sufficient teſtimony of the good agreemᵗ between him and that houſe and could not but be very acceptable to one that deſired nothing more then to keep up a good Correſpondence with them and to make them eaſie hoping thereby to be ſo himſelf

The Council having taken into conſideration the Amendments to the Bill Entᵈ *an Act for Eſtabliſhing County Courts and for regulating and ſetling the proceedings therein* the Said Amendments were twice read and Approved.

Then the Bill Entᵈ *an Act for Eſtabliſhing County Courts and for regulating and ſetling the proceedings therein* was read the third time with the Amendments

Reſolved

That the Bill with the amendments do paſs

Ordered

That the Clerk of the general Aſſembly carry to the houſe of Burgˢ the ſaid Bill and accquaint them that the Council paſt the Same with Several Amendments to which they deſire the concurrence of that houſe.

Ordered

That the Clerk of the general Aſſembly carry to the houſe of Burgeſſes the Bill Entᵈ *an Act for prevention of abuſes in tobacco Shipt on freight, and accquaint them that the Council have Examined the Same and are Satisfyed that yᵉ amendments are truly inſerted.*

A petition of *John Clayton* and *William Robertſon* atturneys of Mʳˢ *Suſannah Leighton* Executrix of Collᵒ *Edward Nott* deceaſed late Governor of this Colony praying allowance of certain Sums of Mony Expended by them by orders of the Government for defraying the Extraordinary charge of the fᵈ Governors funeral read and referred to the Conſideration of the houſe of Burgeſſes.

And then the Council adjourned till to morrow morning 10 a Clock

---

Friday December the 1ſt 1710

Preſent

EDMOND JENNINGS, Dudley Diggs, Mʳ Coñry *Blair, Philip Ludwell, John Smith* and *William Byrd* Eſqʳˢ

A Meſſage from the Burgeſſes to the Council by Mʳ *Eskridge* and others who brought a Bill Entᵈ *an Act to ſet free* Will *a Negro belonging to* Robᵗ Ruffin to which they deſire the Councils concurrence. And alſo

A

A Refolve of the houſe in anſwer to the Councils meſſage in relation to the Bill for laying a duty on Liquors and ſlaves.

Then the ſaid refolve was read as follows

Refolved

That leave be given . . . . . [See J. of H. of B., p. 287, l. 33 to end of page.]

A Bill Ent^{d} *an Act for laying a duty on Liquors and Slaves* read the Second time with the Amendments agreed to by the houſe of Burgeſſes and

Ordered a Third reading

A Bill Ent^{d} *an Act for raiſing a publick revenue for the better Support of the Government of this her Majeſties Colony and dominion* read the Second time and

Ordered a third reading

A Bill Ent^{d} *an Act to ſet free* Will *a negro belonging to* Robert Ruffin read the firſt time and

Ordered a ſecond reading

Preſent the Governor

Ordered

That the Clerk of the general Aſſembly carry the following Meſſage from the Governor to the houſe of Burgeſſes.

Gentlemen

Your late Addreſſes . . . . . [See J. of H. of B., pp. 288-9.]

A Bill Ent^{d} *an Act for Setling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon* read the Second and committed.

And then the Council adjourned till to morrow morning 10 a Clock

---

Saturday December the 2^{d} 1710

Preſent

THE Honb^{le} *Allexander Spotſwood* Eſq^{r} her Majeſtys Lieu^{t} Governor, *Edmond Jennings, Dudley Diggs, James Blair* Com̃ry. *Philip Ludwell, John Smith* and *William Byrd* Eſq^{rs}

A Bill Ent^{d} *an Act laying a duty on liquors and Slaves* read the third time with the Amendments.

Refolved

That the Bill do paſs

Ordered

That the Clerk of the general Aſſembly carry the f^{d} Bill to the houſe of Burgeſſes and accquaint them that the Council have paſt the ſame wth the Amendments agreed to by that houſe.

A Bill Ent^{d} *An Act for raiſing a publick revenue for the better Support of the Government of this her Majeſtys Colony and dominion of* Virg^{a} read the Third time.

Refolved

That the Bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the f^{d} Bill to the houſe of Burgeſſes and accquaint them that the Council have paſt the Same without any Amendment.

A Bill Ent^{d} *an Act to Set free* Will *a negro belonging to* Robt Ruffin read the Second time and

Ordered a Third reading

A Meſſage to the Council by Mr *Chriſtopher Robinſon* and others who brought the following Bills *Viz* A Bill Ent^{d} *an Act for the further reſtraint of tipling houſes and other diſorderly places*, and a Bill Ent^{d} *an Act for prohibiting Seamen being harboured or Entertained on Shore* paſt without amendment, Alſo A Bill Ent^{d} *an Act for finiſhing a houſe for the Governor of this Colony and dominion*, A Bill Ent^{d} *an Act appointing a Treaſurer*, and

and a Bill Ent^{d} *an Act for fecurity and defence of the Countrey in time of danger*, To which they defire the Councils concurrence, and that the houfe had Agreed to the Amendments made by their Hon^{rs} to the Bill Ent^{d} *an Act for Eftablifhing County Courts and for regulating and Setling the proceedings therein.*

And then the Council adjourned till *Munday* morning Ten a Clock

Munday Decemb^{r} the 4th 1710

Prefent

EDMOND JENNINGS, Dudley Diggs, James Blair, Philip Ludwell, John Smith, William Byrd Efq^{rs}

A Bill Ent^{d} *an Act for finifhing a houfe for the Governor of this Colony & dominion.*

A Bill Ent^{d} *an Act reviving and continuing* an Act for Security and defence of the Countrey in times of danger and

A Bill Entituled *an Act Appointing a Treafurer* were read the firft time and

Ordered a Second reading

A Bill Ent^{d} *an Act to Sett free* Will *a negro belonging to* Robt Ruffin read the third time.

Refolved

That the Bill do pafs

Ordered

That the Clerk of the general Affembly carry the f^{d} Bill to the houfe of Burgeffes and accquaint them that the Council have paft the Same without any Amendment.

The Bill Ent^{d} *an Act for Eftablifhing County Courts and for regulating and Setling the proceedings therein* Examined

Ordered

That the Clerk of the general Affembly carry the Same to the houfe of Burg^{s} and accquaint them that the Council are Satisfyed the Amendments are truly made.

Prefent *John Lewis* Efq^{r}

Refolved

That an humble Addrefs be prepared to return the humble Thanks of the Council to her Majefty for her royal favours lately beftowed on this Colony and that Mr Commiffary *Blair* and *William Byrd* Efq^{r} prepare and bring in ye f^{d} addrefs

Refolved

That an humble addrefs be made to the Honble the Lieu^{t} Governor To Expref̃s the happienefs of this Countrey under his prudent adminiftration, and that Mr Commiffary *Blair*, and *William Byrd* Efq^{r} prepare and bring in the Said addrefs.

A Bill Ent^{d} *an Act for Setling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon* read the third time with the Amendments.

Refolved

That the Bill do pafs.

Ordered

That the Clerk of the General Affembly carry the f^{d} Bill to the houfe of Burg^{s} and Accquaint them that the Council have paft the Same with Some Amendments To which they defire the Concurrence of that houfe.

And then the Council adjourned till to morrow Morning 10 a Clock.

Tuefday December the 5th 1710

Prefent

EDMOND JENNINGS, Dudley Diggs, James Blair Comry, *Philip Ludwell, John Smith, John Lewis & William Byrd* Efq^{rs}

A Bill Ent^{d} *an Act for finifhing a houfe for the Governor of this Colony and dominion* read the Second time and

Ordered a Third reading

A Meſſage to the Council by Mr *Buckner* and others who brought the book of publick Claims, And alſo a Bill Ent^d *an Act for Supply of certain defects found in the* Act preſcribing the method of appointing Sheriffs to which they deſire the Councils concurrence.

A Bill Ent^d *an Act reviving the* Act for Security and defence of the Countrey in times of danger read the Second time and

Ordered a third reading

A Bill Ent^d *an Act for appointing a Treaſurer* read the Second time and

Ordered a Third reading

An Engroſſed Bill from the Burg^s Ent^d *an Act for Supply of certain defects found in the* Act preſcribing the method of appointing Sheriffs read the firſt time and

Ordered a Second reading

The book of publick Claims being read over, and the Council obſerving Sundry Claims diſſallowed which they conceive to be a Countrey Charge

Reſolved

That the following meſſage be Sent to the Burgeſſes to recommend the Said Several Claims to be again Conſidered by that houſe

By the Honb^le Council

The Council having read . . . . . [See J. of H. of B., pp. 294-295.]

Preſent the Governor

A meſſage to the Governor by Mr *Holloway* and others that the houſe had reſolved to give two hundred pounds, towards rebuilding the pariſh Church of *Bruton* in the City of *Williamſburgh* and prayed the favour of his Hon^r to take the ſ^d Sum into his hands, and to take the trouble of laying it out for Enlarging the ſ^d Church and building pews for the Governor Council and Burgeſſes, to which the Governor was pleaſed To anſwer that he thanked the houſe for the confidence they had in him, that tho he had never been concerned in buſineſs of this nature, he would uſe his beſt endeavours to have ye money laid out to anſwer their intentions

Ordered

That the Clerk of the General aſſembly carry the following Meſſage from the Governor to the houſe of Burgeſſes.

Mr Speaker *and Gent of the houſe of Burgeſſes*

By an Addreſs . . . . . [See J. of H. of B., pp. 292-293.]

And then the Council adjourned till to morrow morning 10 a Clock

---

Wedneſday December the 6th 1710

Preſent

AS YESTERDAY

A Bill Ent^d *an Act reviving the* act for ſecurity & defence of the Country in times of danger Read the 3^d^ time

Reſolved That the Bill do paſs

A Bill Ent^d *an Act for finiſhing a houſe for the Governor of this Colony and dominion* read the third time.

Reſolved

That the Bill do paſs

A Bill Ent^d *an Act appointing a Treaſurer* read the third time and

Reſolved

That the Bill do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſ^d three Bills to the Burg^s And acccquaint them that the Council have paſt the Same without any amendments

A Bill Ent^d *an Act for Supply of certain defects found in the* Act preſcribing the method of appointing Sheriffs read the ſecond time and ordered a Third reading

The Council adjourned for an hour

AND

AND being mett Again

A Bill Entd *an Act for Supply of certain defects found in* an Act preſcribing the method of appointing Sheriffs read the third time and

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the general Aſſembly carry the ſd Bill to the houſe of Burgs and accquaint them that the Council have paſt the Same without Amendment.

An humble Addreſs to her Majeſty being prepared was read and Signed and is as follows.—

To the Queens moſt Excellent Majeſty

We Your Majeſties moſt dutyful and loyal Subjects the Council of your Antient Colony of *Virginia* mett in Aſſembly beg leave in all humility Amongſt the many bleſſings of your auſpitious reign in which we Share with all your other Subjects, to accknowledge your Majeſtys late favours to this Countrey in allowing us the benefite of the *Habeas Corpus* Act and in appointing Courts of *Oyer* and *Terminer* for the Speedy Execution of Juſtice and relief from long Impriſonments: together with your Royal Bounty in Rebuilding our College, Notwithſtanding your Majeſtys other great and urgent Occaſions for carrying on an Expenſive, but Neceſſary war; in which with moſt thankful hearts, we congratulate the yearly repeated Succeſſes of your Majeſtys forces We pray your Majeſty likewiſe to accept of our unfeigned Thanks for your great care in ordering guard Ships to defend our capes and protect our trade Eſpecially in a moſt particullar manner we deſire to acknowledge your Majeſty great goodneſs to this Colony in Entruſting the Government of it in the hands of Colle *Spotſwood* our Lieut Governor A perſon who by his prudence, Dilligence, Juſtice, Generoſity and good Temper gives Such a general Satisfaction to all your Majeſtys good Subjects in this Countrey That we hope it will very much Sweeten our other hard Circumſtances occaſioned by the great decay of the trade of tobacco, and facilitate everything relating to your Majeſtys or the Countreys Service; We conclude wth our hearty prayers for your Majeſtys health and long life: and with the greateſt Aſſurances that no concurrence or aſſiſtance Shall be wanting on our parts wth the utmoſt zeal and dilligence to promote your Majeſtys Service.

Alſo an Addreſs to the Governor being prepared was read and Signed and is as follows

To The Honble Allexander Spotſwood Eſqr *her Majties Lieut Governor of* Virginia

May it pleaſe your Honr

We her Majeſtys moſt dutyful and Loyal Subjects to [of] the Council of this Colony and dominion mett in Aſſembly do promiſe our ſelves So much happieneſs from the prudence and moderation of your Governmt that we cannot doubt its good Influence on her Majeſtys Service and the proſperity of this Countrey

The many favourable hints which your Honr was pleaſed to give to the General Aſſembly in your Speech at the opening of this Seſſion, declare your good Intention to this Colony, and that intention has been confirmed by Effects during the progreſs of it by your conſtant and vigorous application to the publick good We beg leave in the humbleſt manner to thank your Honr for Such inſtances of Your favour, and likewiſe for the peculiar pleaſure with which you vouchſafed to Communicate her Majeſtys moſt gracious Bounty to this Countrey, her tender regard to the liberties and happineſs of all her ſubjects: add zeal to our loyalty and make obedience a pleaſure; We have preſumed in a moſt humble addreſs To her Majeſty to Expreſs our thanks for her Royal favour, which we beſeech *You Sir* to tranſmitt to *England* by the firſt Occaſion: and to accompany it wth your good offices. And if we may Still beg further, it is that your Honr would have the goodneſs to repreſent the affairs of this Colony in So favourable a manner, That her Majeſty may be induced to continue and enlarge her Bountys towards it.

And

And we are perſwaded *Sir* that we may wth a good grace pray for your Hon^rs health and long continuance in this Government, becauſe in So doing we pray for the Glory of God, the honour of her Majeſty and the Welfare of her Subjects who have the good fortune to be under your care.

And then the Council adjourned till tomorrow morning 10 a Clock

---

Thurſday December the 7th 1710

Preſent

AS YESTERDAY

A Meſſage from the houſe of Burg^s to the Council by Mr *Buckner* and others who brought the Treaſurers acc^ts paſt by that houſe to wch they deſire the concurrence of the Council

Preſent the Governor

The Council having preſented their addreſs to the Governor which was read by Mr *Preſident*

The Governor was pleaſed to anſwer that he thanked the Council for the Honour they had done him in that addreſs, and was glad to find that his adminiſtration was So acceptable among them.—

A meſſage from the houſe of Burg^s to the Council by Mr *Eskridge* and others that the Burg^s upon the Conſideration of their Hon^rs Amendments to the book of Claims had prepared an anſwer which they had ordered to be left with the Council and hoped they would agree thereto and paſs the book of Claims.

The anſwer of the houſe of Burg^s being read in the words following—*Viz.*

The Burg^s now in Aſſembly . . . . . [See J. of H. of B., pp. 295-296.]

Reſolved

That the following meſſage be Sent to the houſe

The Council having conſidered . . . . . [See J. of H. of B., p. 296.]

The accounts of Mr Treaſurer *Beverly* and Mr Treaſurer *Harriſon* were read and paſt by the Council and

Then the Governor Signed his aſſent to the f^d Accounts

Ordered

That the Clerk of the General Aſſembly carry the f^d Accounts to the houſe of Burg^s and accquaint them that the Council have aſſented to them.

And then the Council adjourned till tomorrow morning 10 a Clock.

Friday December the 8th 1710

Preſent

AS YESTERDAY

A meſſage from the Burg^s to the Council by Mr *Buckner* and others who brought the book of Claims and accquainted the Council that the Burg^s had agreed to the allowances propoſed by their Hon^rs to be made in that book

Reſolved

That the f^d Book of Claims be paſſed

Then the Governor Signed his Aſſent thereto and

Ordered

That the Clerk of the General Aſſembly carry the f^d Book to the houſe of Burg^s and accquaint them that the Governor and Council have aſſented thereto.

A Meſſage from the Burg^s to the Council by Mr *Holloway* and others that the houſe had paſt Several Reſolves for the payment of mony out of the funds raiſed and to be raiſed by the duty on liquors and Slaves to which they deſire the Councils concurrence.—

The Council having conſidered the Several Reſolves and orders of the houſe of Burg^s for payment of mony out of the ffunds raiſed and to be raiſed by the duty on liquors and Slaves

Slaves do agree to the Same in the terms they are paſt by the houſe, and in Order to prevent all diſputes that may ariſe as to the paym^t of the Remaining Ballance due from the Admin^rix of the late Treaſurer.

Reſolved

That all monys which Mrs *Elizabeth Harriſon* Shall upon her oath before the Honb^le the Lieut Governor declare She found in Specie at the time of her huſbands deceaſe or which has come to her hands ſince, and believes to have grown due upon Acc^t of the impoſitions on Liquors and Slaves be paid in caſh at the rate of Sixteen pennyweight and a half for five Shillings

And then the Council adjourned till to Morrow Morning 10 a Clock

---

Saturday December ye 9th 1710

Preſent

AS YESTERDAY

A meſſage from the Burg^s by Mr *John Robinſon* and others who brought the Bill Ent^d *an Act for Setling the titles and bounds of lands and for preventing unlawful Shooting and ranging thereupon* and acquainted the Council that the houſe had inſerted therein the Amendments agreed on, and alſo brought the Bill Ent^d *an Act for raiſing a publick Levy* with the book of propoſitions paſt by the houſe to which they deſire the Councils concurrence and brought the Inrolled Bills paſt this Seſſion for their Hon^rs peruſal and accquainted the Council that the houſe had Agreed to their reſolve about the future payments to be made by Mrs *Harriſon* out of the publick mony in her hands.

A Bill Ent^d *an Act for raiſing a publick Levy* read the firſt time and

Ordered a ſecond reading

Then the Council adjourned during pleaſure

AND being mett again

A Bill Ent^d *an Act for raiſing a publick levy* was read the Second time and *Ordered* a Third reading

The Council adjourned *ut Supra*

AND being mett again

A Bill Ent^d *an Act for raiſing a publick Levy* was read the third time

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſ^d Bill to the houſe of Burg^s and accquaint them that the Council have paſt the Same.

Preſent the Governor

The book of publick propoſitions [proportions] being read over was agreed to by the Council. And then the Governor was pleaſed to Sign his Aſſent to the Same.

The Council having peruſed the inrolled Bills and finding them to be truly tranſcribed

Ordered

That the Clerk of the general Aſſembly carry the ſ^d Bills to the houſe of Burg^s

Ordered

That the Clerk of the Gen^ll Aſſembly carry to the houſe of Burg^s the book of propoſitions and accquaint them that the Governor and Council have aſſented to the Several allowances made therein.

Ordered

Ordered

That the Clerk of the Genll Aſſembly go to the houſe of Burgs and command their Immediate attendance on the Governor in the Council Chamber and that they bring with them the Bills that are ready for his Aſſent.

The houſe of Burgs Attending accordingly

Mr *Speaker* addreſſed himſelf to the Governor to this Effect, That in obedience to his Honrs Commands the houſe of Burgs were come to attend him wth the ſevll Bills paſt by the Honble Council and themſelves to receive from his Honr that Sanction which yet remained to make them Effectual, and then read the Titles of the Said Bills, which were Severally Signed by the Governor and the Speaker as follows *viz:*

[For the following 17 Acts, ſee J. of H. of B., p. 298.]

After which the Governor was pleaſed to Say as follows

Gentlemen

Nothing Remains now but to declare to you that I am well Satisfyed wth the general proceedings of this Aſſembly and return you Thanks for your ready concurrence to many good and Neceſſary Bills which you have paſt this Seſſion and that I may not Seem unmindful of your favours, I particullarly mention that for finiſhing the Governors houſe.

I ſhall do you Juſtice to her Majeſty in reporting the Cheerfulneſs wth which You have acted, And I do not doubt But your Bills will Sufficiently teſtifie that you are both dutyfull Subjects and carefull Repreſentatives.

Seeing both the Seaſon of the year and your own domeſtick affairs require Your return home, I Shall no longer detain you here and therefore I now prorogue you to the laſt day of *April* at which time You are to meet me here again

Copia Examinat ℔

Wil Robertſon Cl Gen Aſſembly

513 514

AT A

GEN^{LL} ASSEMBLY

Begun at her Majeſtys Capitol the 25th day of *October* in the ninth year of the Reigne of our Sovereign Lady *Anne* by the Grace of God of *Great Brittain France* and *Ireland* Queen Defender of the Faith &c and thence Continued by divers Prorogations and there held the 7th day of *Nouember* 1711 in the tenth year of her Majeſtys Reign

[From the Public Record Office, *London*, Colonial Office, Clafs 5. Vol. 1406—pages of volume not numbered.]

At a Gen^{ll} Aſſembly Begun at her Majeſtys Capitol the 25th day of *October* in the ninth year of the Reigne of our Sovereign Lady *Anne* by the Grace of God of *Great Brittain France* and *Ireland* Queen Defender of the Faith &c and thence Continued by divers Prorogations and there held the 7th day of *Nouember* 1711 in the tenth year of her Majeſtys Reign

---

[*November* the 7th, 1711]

Preſent

EDMUND JENINGS, *James Blair, Phillip Ludwell, John Smith* and *William Byrd* Eſq^{rs}

The Councill mett and Adjourned till to morrow morning ten a Clock

---

Thurſday November the 8th 1711

Preſent

THE Govr, *Edmund Jenings, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd* Eſq^{rs}

Ordered

That the Clerk of the Gen^{ll} Aſſembly go to the houſe of Burgeſſes and acquaint them that the Govr Commands their immediate attendance in the Council Chamber

The Houſe Accordingly attending

The Governour made the following Speech

Gentlemen of the Council and Houſe of Burgeſſes

That good Agreement . . . . . [See J. of H. of B., 1702/3-1712, pp. 301-303.]

And then the Council Adjourned till to morrow morning 10 a Clock

---

Friday November 9th 1711

Preſent

EDMUND JENINGS, *James Blair, John Smith, John Lewis, William Byrd* Eſq^{rs}

The Council mett and Adjourned till to morrow morning 10 a Clock

---

Saturday November 10th 1711

Preſent

EDMUND JENINGS, *James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd* Eſq^{rs}

A meſſage from the houſe of Burgeſſes to ye Council by M^{r} *holloway* and others who brought the following Reſolve *Viz^{t}*

Reſolved

That there be paid unto *Ralph Baker* out of the publick moneys in Mr *Treaſurers* hands ye Sum of twenty ſeven pounds ten Shillings in Satisfaction of twenty five pounds *Sterling* ordered him at ye laſt Seſſion of Aſſembly and not yet paid & for other Conſiderations.

And

And the ſaid Mr *Holloway* acquainted ye Council that the reaſon yt ye ſaid *Baker* was not paid According to the order of ye laſt Aſſembly was becauſe through miſtake that paymt was ommitted out of ye liſt of the Orders drawn on the money in the hands of Mrs *Harriſon* Adminiſtrx of ye late Treaſurer, and that the Burgeſſes takeing into Conſideracon the loſs he had Suſtained through ye want of his money for almoſt a twelve month, and the difference between the payment now in Currant Money, and the paymt he ſhould have had then wch was *Sterling*, had thought fitt to allow him fifty Shillings in Conſideration thereof To wch they deſire the Concurrence of the Council

Ordered

That the ſaid Reſolve ly on the Table for further Conſideration

And then the Council Adjourned till *Munday* morning 10 a Clock

---

Munday Novembr ye 12th 1711

Preſent

EDMUND JENINGS, *James Blair, Phillip Ludwell, Henry Duke, John Smith* Eſqrs

The Councill mett and Adjourned till to morrow morning 10 a Clock

---

Tueſday November ye 13th 1711

Preſent

THE Governr, *Edmund Jenings, James Blair, Phillip Ludwell, Henry Duke* and *John Smith* Eſqrs

The Council haveing taken into Conſideration the Reſolve of ye houſe of Burgeſſes brought up on *Saturday* laſt

Reſolved

That the Council do agree to the paymt of Twenty Seven pounds ten Shillings Current money to *Ralph Baker* out of the Publick monys in Mr *Treaſurers* hands upon the Conſideration menconed in the meſſage from ye Burgeſſes laſt *Saturday*

And then the Governr was pleaſed to Signe his Aſſent to ye ſd Payment

Ordered

That the Clerk of the Genll Aſſembly carry to the houſe of Burgeſſes the Reſolve for paymt of Twenty ſeven pounds ten Shillings to *Ralph Bacon* and acqt them that the Govr and Council haue agreed thereto.

A propoſition from *King William* County for appointing Rangers on the Frontier Countys for their Protection againſt the Incurſions of Indians being read

Ordered

That a meſſage be prepared to be ſent from ye Govr to ye houſe of Burgeſſes with the ſaid Propoſition.

And then the Council Adjourned till to morrow morning 10 a Clock

---

Wedneſday November ye 14th 1711

Preſent

EDMUND JENINGS, *James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd* Eſqrs

Reſolved

That an Addreſs be prepared and preſented to the Govr to render him the humble Thanks of the houſe for his Speech at the opening of this Seſſion of Aſſembly for his prudent care and frugal Management and Singular dilligence in putting this Country in a poſture of Defence: and Secureing its peace and tranquility in the late times

times of danger and to assure his honr yt the Council will heartily Concur in all those wise proposals he has made to this Assembly for ye defence and Improvement of this her Majestys Colony—

Present the Governr

Ordered

That the Clerk of the Genll Assembly carry the following Message from the Governour to the house of Burgesses together with the Proposition from *King William* County—

Mr Speaker *and Gent of the house of Burgesses*

Haveing recd a Proposition . . . . . [See J. of H. of B., p. 309.]

And then ye Council Adjourned till to morrow morning 10 a Clock

---

Thursday November 15th 1711

Present

AS YESTERDAY

The petition of *Larkin Chew* praying allowance for himself and ten men Rangeing on the Frontiers of *Essex* County

The Propositions from *James City* County

The Petition of Mrs *Elizth Harrison* praying allowance for paid by her in *Sterling* money more than her deceased husband Received as Treasurer of the late Impositions

Were Severally read and Referred to the Consideracon of the house of Burgesses

An humble Address to the Govr being prepared was read approved and Signed by all the Members of the Council present and is as follows

To the Honble Alexander Spotswood *her Majestys Lievt Govr and Commander in Chief of the Collony and Dominion of* Virginia

May it please yr Honr

We the Members of her Majestys Council met in Assembly humbly beg on this Extraordinary Occasion you will be pleased to accept of our Unfeigned thanks for yr Speech to both houses of Assembly

We were Wittnesses and can be Vouchers of ye truth of ye matters of Fact therein Represented

And as ye dangers, when impendent were accompanied with a great deal of terror So now that by Gods Blessing on ye wise Methods you Contrived, and the Singular dilligence with which you put them in Execution, they are in a great Measure Obviated. We hope they haue only Served to excite our Gratitude for our past deliverance, and our care to prepare against ye like dangers, for ye future

We are highly Sensible of ye great Conduct and Activity which were So eminently exerted by yr Honr in the late times of danger, to wch under God we owe both the Peace of this and ye Neighbouring Colony of *North Carolina* we admire ye frugality of ye Expence and hope no Chearfullness will be wanting to Satisfy it

And as we have nearer and more frequent Oppertunities of Observing how Generous and disinterested ye methods are, by which you incessantly prosecute ye publick good: We can do no less then assure Yor Honr that we Shall not be wanting in our best Endeavours, to preserve ye present good harmony between you and ye Country, and to Concurr Chearfully in those wise proposals which you haue made for ye defence and Improuemt of it

Ordered

That *Jno Lewis* and *William Byrd* Esqrs wait on ye Govr and acquaint him that ye Council have prepared an Address to his honr and desire to know when and where they shall wait on him to present ye Same

And being returned

Reported yt the Govr was pleased to say he would not give ye Council the trouble of waiting on him at his house but should be at ye Council Chamber to Morrow Morning

And then ye Council Adjourned till to Morrow morning 10 a Clock

Friday

Friday November ye 16th 1711

Preſent

THE Govr, *Edmund Jenings, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd* Eſqrs

The Council haveing preſented their Addreſs to ye Governr

His honr was pleaſed to Anſwer

Gentlemen

I have ſo much at heart ye Welfare of this Colony that I muſt with Pleaſure hear of its being benifitted by my Endeavours, and I cannot but exceedinly rejoice that So good Judges and Such near Wittneſſes of my Conduct do approve of my Adminiſtrations and that I am Acceptable to an houſe which is ſo able to Council me and on whoſe advice I can ſo Safely rely—

The Govr Abſent

A meſſage to the Council from ye houſe of Burgeſſes by Mr *Holloway* and others who brought a bill Entituled *an Act for appointing Rowling houſes and publick Landings and Aſcertaining the prices of Storage* paſſed by that houſe to wch they deſire ye Council's Concurrence

A bill Entituled *an Act for appointing Rowling houſes and publick Landings and for Aſcertaining the prices of Storage,* Read ye firſt time

Ordered

That the bill be read a 2d time on *tueſday* next

And then ye Council Adjourned till to morrow Morning 10 a Clock

---

Saturday November ye 17th 1711

Preſent

AS YESTERDAY

A meſſage from the Burgeſſes by Mr *Holloway* and others who brought a bill Entituled *an Act to reſtrain perſons from keeping horſes and breeding Mares that haue not Land to keep them on.* To which they deſire ye Councils Concurrence

A bill Entituled *an Act to reſtrain perſons from keeping horſes and breeding Mares that haue not Land to keep them on.* Read the firſt time

Ordered

That the bill be read a Second time on *Tueſday* next.

And then ye Council Adjourned till *Munday* Morning 10 a Clock

---

Munday November ye 19th 1711

Preſent

THE ſame as on *Saturday*

The Council mett and Adjourned till to morrow Morning 10 a Clock—

Tueſday November the 20th 1711

Preſent

EDMUND JENINGS, Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Eſqrs

A meſſage from ye Burgeſſes by Mr *Conaway* and others who brought the Petition of *John Broadnax* Keeper of ye Publick Goal with a Reſolve of ye houſe thereupon to which they deſire the Councils Concurrence.

And the ſame being read was agreed to and is as follows *Viz*t

The

The Petition of *Jn^e Broadnax* keeper of the publick Goal was read ſetting forth y^r Inconveniencys in haveing a Window on each ſide of y^e ſ^d Goal and praying that they may be Stopt up. And that one other window may be made on ye Weſt end of y^e ſaid Goal which is Surrounded with a high Wall

Reſolved

That Liberty be given to y^e ſaid *Broadnax* to made Alteracõn in y^r ſ^d Publick Goal According to ye Prayer of his Petition. and that y^e ſame be done at y^r Charge of the Country

Ordered

That ye Clerk of ye Gen^ll Aſſembly return y^e ſ^d Reſolve to ye houſe of Burgeſſes and acq^t them that ye Council haue agreed thereto

Phillip Ludwell Eſq^r Preſent

A bill Entituled *an Act for appointing Rowling houſes and publick Landings and Aſcertaining ye prices of Storage* read ye 2^d time

Reſolved

That a bill be prepared for Eſtabliſhing Ports and that ye Rolling houſes and publick Landings be Comprized in y^e ſaid bill

Ordered

That *Robt Carter James Blair* & *William Byrd* Eſq^rs do prepare and bring in the ſaid bill

And then ye Council Adjourned till to morrow morning 10 a Clock

---

Wedneſday November the 21^ſt 1711

Preſent

EDMUND JENINGS, Robt Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd Eſq^rs

A meſſage from ye Burgeſſes by Mr *Holloway* and others who brought a bill Entituled *an Act to Impower Surveyors of highways to take ſuch trees as ſhall be Neceſſary to make or repair Bridges and high ways*, and alſo a bill Entituled *an Act for ſettling and Aſcertaing ye Currant rates of forreign Coined Gold.* To which they deſire ye Councils Concurrence

A bill Entituled *an Act to impower Surveyors of high ways to take ſuch trees as Shall be Neceſſary to make or repair Bridges and high ways* read ye firſt time and

Ordered

a Second Reading

A bill Entituled *an Act for ſettling and aſcertaining ye Currant Rates of forreign Coined Gold*, read the firſt time and

Ordered

a Second Reading

The Govr Preſent

A meſſage from ye Burgeſſes to the Govern^r by Mr *Holloway* and others that the houſe had prepared an Addreſs of thanks to his hon^r and deſired to know when he will be attended by the whole houſe to preſent y^e ſaid Addreſs

Upon which ye Govr was pleaſed to appoint to morrow at one a Clock in the after noon in ye Council Chamber

A bill Entituled *an Act to reſtrain people from keeping horſes and breeding Mares that have not Land to keep them on.* read ye Second time and Committed for Amendm^t^

And then ye Council Adjourned till to morrow morning 10 a Clock

Thurfday November the 22d 1711

Prefent

THE Govern^r, *Edmund Jenings, Robt Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd* Efq^rs

The houfe of Burgeffes attending the Govr prefented ye following Addrefs

To the Honble Alexander Spotfwood *Efq^r her Majeftys Lieu^t Govr and Command^r in Chief of ye Colony and Dominion of* Virginia

The Humble Addrefs of ye houfe of Burgeffes

May it pleafe yor Hon^r

Wee her Majeftys moft Loyal . . . . . [See J. of H. of B., p. 314.]

To which the Govr was pleafed to make the following Anfwer

I fhall be glad of ye Occafion to return the like thanks to you Gentlemen of the houfe of Burgeffes for y^r Labouring as Cheerfully as Sincerely and as free from all felf Intereft as I have done for ye generall good of this Colony—

Ordered

That the Report from the Comm^tee to whom it was Referred to prepare a bill for Eftabliſhing Ports be made to morrow Morning—

And then the Council Adjourned till to Morrow Morning 10 a Clock

---

Friday Novemb^r the 23d 1711

Prefent

AS YESTERDAY

Ordered

That ye Clerk of ye Gen^ll Affembly carry the following Meffage from the Govr to the houfe of Burgeffes

Mr Speaker *& Gent of the Houfe of Burgeffes*

Tho I did in my Speech . . . . . [See J. of H. of B., p. 316.]

Robert Carter Efq^r from ye Comm^tee appointed to prepare a bill for Eftabliſhing Ports Reported that they had Accordingly prepared ye fame wch H^e delivered in at the Table and ye fame was Received

A meffage from ye Burgeffes to ye Council by Mr *Holloway* and others that the houfe had paſſed a bill Entituled *an Act directing the manner of granting Probates and Adminiſtrations of Inteſtates Eſtates* to wch they defire ye Councils Concurrence—

And then ye Council Adjourned till to morrow Morning 10 a Clock

---

Saturday November the 24th 1711

Prefent

AS YESTERDAY

A Bill Entituled *an Act directing the manner of Granting Probates and Adminiſtracons of Inteſtates Eſtates.* read the firſt time and

Ordered

A Second Reading

Ordered

That ye Clerk of ye Gen^ll Affembly carry the following meſſage from ye Govern^r to the houſe of Burgeſſes

Gentlemen

In Anſwer to y^r meſſage for my directions in amending y^r Militia Bill. I thought I had fully diſcourſed y^t matter wth y^r Comm^tee ſent on the like meſſage laſt Seſſion tho it ſeems my meaning was Miſunderſtood I am Sure I haue frequently Intimated the defects in y^r Preſent Law to moſt of ye Gent of ye Country, and more Particularly to ye members

members of y^r houſe on divers Occaſions. So that if you really intend by Amending that Law to make y^r Melitia of Uſe. I am perſwaded you haue a ſufficient Foundation to begin upon. And when you haue proceeded ſo far as to paſs a bill. If any Omniſion be found therein, It may properly be Supplyed by an Amendm^t from ye Council who are no doubt Equally Concerned and zealous for ye defence and Security of their Country

And then the Council Adjourned till *Munday* Morning 10 a Clock

---

Mvnday November ye 26th 1711

Preſent

EDMUND JENINGS, *Robt Carter, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd* Eſq^rs

The following Addreſs haveing been preſented to the Govr laſt *Saturday Viz^t*

To the Honble Alexander Spotſwood *her Majeſties Lieu^t Govern^r of* Virginia

We her Majeſtys moſt Loyal . . . . . [See J. of H. of B., p. 318.]

Ordered

That the Clerk of ye Gen^ll Aſſembly carry the following Meſſage from the Govr to the houſe of Burgeſſes in Anſwer to the ſ^d Addreſs

Mr Speaker *and Gentl^n of the Houſe of Burgeſſes*

In anſwer to y^r Addreſs . . . . . [See J. of H. of B., p. 319.]

A meſſage from the Burgeſſes to ye Council by Mr *Holloway* and others who brought a bill Entituled *an Act for ye better Securing ye Governm^t and her Majeſtys Subjects of this Colony ag^t the Attempts of Negro and other Slaves*, and alſo a bill Entituled *an Act for Building a Priſon for Debtors to be Committed to by the Gen^ll Court* to which they deſire ye Concurrence of ye Council

A bill Entituled *an Act to reſtrain perſons from keeping horſes and breeding Mares who haue not Land to keep them on*, Read the 3^d time wth the Amendments

Reſolved

That the bill as Amended do paſs

Ordered

That the Clerk of ye Gen^ll Aſſembly carry the ſaid bill to ye houſe of Burgeſſes and acq^t them y^t the Council have made Sev^ll Amendm^ts thereto to wch they deſire ye Concurrence of y^r houſe

A bill Entituled *an Act for Eſtabliſhing Ports Ware houſes Rowling houſes and Publick Landings*, Read the firſt time and

Ordered

A Second Reading

And then ye Council Adjourned till to Morrow Morning 10 a Clock

---

Tueſday November ye 27th 1711

Preſent

EDMUND JENINGS, *Robt Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd* Eſq^rs

A bill Entituled *an Act for ye better Secureing the Governm^t and her Majeſties Subjects of this Colony againſt the attempts of Negro and other Slaves.* Read ye firſt time & Ordered

To ly on ye Table

A bill Entituled *an Act for building a Priſon for Debtors to be Committed to by the Gen^ll Court.* Read the firſt time and

Ordered

A Second Reading

M^r

Mr Commiſſary *Blair* Preſent

A bill for Eſtabliſhing Ports Ware houſes Rowling houſes and Publick Landings. Read the Second time and

Ordered

To be Engroſſed

A bill Entituled *an Act directing the manner of granting Probates of Wills and Adminiſtracons of Inteſtates Eſtates.* Read ye Second time and Committed for Amendmts

A bill Entituled *an Act to Impower Surveyors of high ways to take Such trees as ſhall be Neceſſary to make or Repair Bridges and high ways.* Read ye Second time and

Ordered

To ly on the Table

And then ye Council Adjourned till to morrow morning 10 a Clock

---

Wedneſday November ye 28th 1711

Preſent

AS YESTERDAY

The Amendmts to the bill directing the manner of granting Probates of Wills and Adminiſtracons of Inteſtates Eſtates being twice Read

Ordered

That the bill wth ye Amendmts be read a third time to Morrow Morning

Preſent The Govern^r

The houſe of Burgeſſes attending the Govr preſented the following Addreſs

To the Honble Alexander Spotſwood *her Majeſties Lieut Govr of* Virginia

We her Majeſties moſt Loyal . . . . . [See J. of H. of B., p. 320.]

To which ye Govr was pleaſed to make ye following Anſwer

Gentlemen

I am very glad . . . . . [See J. of H. of B., p. 321.]

A meſſage from ye Burgeſſes to ye Council by Mr *Holloway* and others that ye houſe of Burgeſſes had diſagreed to all ye Amendmts made by the Council to the bill Entituled *an Act to reſtrain perſons from keeping horſes and breeding Mares who have not land to keep them on*, and deſire ye Council will be pleaſed to paſs the bill without thoſe Amendmts

A bill Entituled *an Act for Eſtabliſhing Ports Ware houſes Rowling houſes and publick Landings.* Read ye third time

Reſolved

That ye bill do Paſs

Ordered

That ye Clerk of ye Genll Aſſembly carry ye ſaid bill to ye houſe of Burgeſſes and deſire their Concurrence thereto

And then ye Council Adjourned till to Morrow Morning 10 a Clock

---

Thurſday November ye 29th 1711

Preſent

AS YESTERDAY

A bill Entituled *an Act directing the manner of granting Probates of Wills and Adminiſtracons of Inteſtate Eſtates.* Read ye third time with the Amendments

Reſolved

That ye bill with ye Amendmts do paſs

Ordered

That ye Clerk of ye Genll Aſſembly carry the ſame to ye houſe of Burgeſſes and acq^t them y^t the Council have paſſed ye ſame with Sevll Amendments to wch they deſire ye Concurrence of that houſe

A

A bill Entituled *an Act for building a Priſon for Debtors to be committed to by ye Gen^ll Court.* Read ye Second time and

Ordered

A Third Reading

And then ye Council Adjourned till to morrow morning 10 a Clock

---

Friday November ye 30th 1711

Preſent

EDMUND JENINGS, *Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd* Eſq^rs

A bill Entituled *an Act for building a Priſon for Debtors to be Committed to by ye Gen^ll Court.* Read the third time

Reſolved

That ye bill do paſs

Ordered

That ye Clerk of ye Gen^ll Aſſembly carry the ſaid bill to ye houſe of Burgeſſes and acq^t them that ye Council have paſſed the Same without any Amendm^ts

And then the Council Adjourned till *Munday* morning 10 a Clock

---

Munday Decemb^r the 3^d^ 1711

Preſent

JAMES BLAIR, *Phillip Ludwell, Henry Duke, John Smith, John Lewis* Eſq^rs

The Council mett and Adjourned till to morrow Morning 10 a Clock

---

Tueſday December ye 4th 1711

Preſent

JAMES BLAIR, *Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd* Eſq^rs

A meſſage from ye Burgeſſes to the Council by Mr *Holloway* and others that ye houſe of Burgeſſes had agreed to ye Amendm^ts made by the Council to ye bill Entituled *an Act directing the manner of granting Probates of Wills and Adminiſtracons of Inteſtates Eſtates* and had incerted them in y^e ſ^d Bill. Alſo y^t the houſe had paſſed a bill Entituled *an Act to Enable* Francis Yeats *of ye County of* Richmond *to Convey Certain Lands to* Jno Tayloe *Gent in lieu of other Lands and Negros of greater Value to be Settled to ye Same Uſes* to wch they deſire ye Councils Concurrence

A bill Entituled *an Act to Enable* Francis Yeats *of ye County of* Richmond *to Convey certain Lands to* Jno Tayloe *Gent in lieu of other Lands and Negros of greater Value to be Settled to ye Same Uſes.* Read ye firſt time and

Ordered

A Second Reading

The Council haveing examined the bill directing ye manner of granting Probates of Wills and Adminiſtracons of Inteſtate Eſtates

Ordered

That ye Clerk of ye Gen^ll Aſſembly carry y^e ſaid bill to the Burgeſſes and acq^t them that ye Council are Satisfyed the Amendm^ts are truely inſerted and haue paſſed ye bill as amended

And then ye Council Adjourned till to Morrow Morning 10 a Clock

Wedneſday

Wedneſday December ye 5th 1711

Preſent

JAMES BLAIR, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Eſqrs

A petition of *Chichely Corbin Thacker* praying his Uſual allowance as Clerk of the Secretarys Office. and

A petition of *Edward Roſs* praying allowance for tranſporting Indians over *James* River. Were Severally Read, and

Referred to the Conſideracon of ye houſe of Burgeſſes

A bill Entituled *an Act for ſettling and aſcertaining the Currant Rates of forreign Coined Gold.* Read the 2d time

And the queſtion being putt, that ye bill be made [read] a third time

It paſſed in the Negative

Reſolved

That ye bill be rejected

A bill to Enable *Francis Yates* of the County of *Richmond* to convey certain entailed Lands lying in the ſd County to *Jno Tayloe* Gent in lieu of other Lands and Negros of greater Value to be ſettled to ye Same Uſes. Read the 2d time and

Ordered

A third Reading

And then ye Council Adjourned till to morrow morning 10 a Clock—

Thurſday December the 6th 1711

Preſent

AS YESTERDAY

The Council haveing taken into Conſideration theſe Amendmts to the bill to reſtrain perſons from keeping horſes and breeding Mares who haue not Land to keep them on

Reſolved

That ye Council do Adhere to the ſd Amendmts

Ordered

That ye Clerk of the Genll Aſſembly carry the ſaid bill to ye Burgeſſes and Acqt them that the Council adhere to all their Amendmts to ye ſaid bill

A bill Entituled *an Act to Enable* Francis Yates *of the County of* Richmond *to Convey certain Lands lying in the ſaid County to* Jno Tayloe *Gent in lieu of other Lands and Negros of greater value to be ſettled to ye ſame Uſes.* Read the 3d time

Reſolved

That the bill do paſs

Ordered

That the Clerk of the Genll Aſſembly carry the ſaid bill to the Burgeſſes and Acquaint them that the Council haue paſſed the ſame without any Amendments

And then the Council adjourned till to morrow morning 10 a Clock

---

Friday December the 7th 1711

Preſent

EDMUNDS JENINGS, Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Eſqrs

The Council being informed of divers Miſmanagements in the building the Govrs houſe

Ordered

That *Henry Cary* Overſeer of the ſaid work lay before the Council to morrow morning an Accot of his Diſburſtments with the proper Vouchers Since the paſſing the act for finiſhing the ſaid houſe.

And then the Council Adjourned till to morrow morning 10 a Clock

Saturday

Saturday December the 8th 1711

Preſent

AS YESTERDAY

A Meſſage to ye Council from ye houſe of Burgeſſes by Mr *Allerton* and others that the houſe had paſſed a bill Entituled *an Act for granting her Majeſty certain dutys upon Sevll goods and Merchandizes for carrying on a Warr againſt the* Tuſcaruro *Indians their Adherents and Abettors* to wch they deſire the Concurrence of the Council

Mr *Henry Cary* attending According to order and moveing for further time to Compleat his Accts in order to be laid before the Council

Ordered

That ye ſaid *Henry Cary* attend with his Accts and Vouchers on *tueſday* morning next

And then ye Council Adjurned till *Munday* morning 10 a Clock

---

Mvnday December the 10th 1711

Preſent

EDMUND JENINGS, Robert Carter, James Blair, Phillip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd Eſqrs

A bill Entituled *an Act for granting to her Majeſty certain dutys upon Sevll goods and Merchandizes for carrying on a War againſt the* Tuſcaruro *Indians their Adherents and abetters.* read the firſt time and

Ordered

To be read a Second time

And then the Council Adjourned till to morrow morning 10 a Clock

---

Tueſday December the 11th 1711

Preſent

AS YESTERDAY

The Council mett. and that they might attend the Court of *Oyer* and *Terminer*

Adjourned till to morrow morning 10 a Clock

Wedneſday December the 12th 1711

Preſent

AS YESTERDAY

A Bill Entituled *an Act for granting to her Majeſty certain dutys and Impoſitions upon ſevll goods and Merchandizes for carrying on a War againſt the* Tuſcaruro *Indians their Adherents and Abettors.* read the 2d time

Ordered

That before the ſd bill haue a third Reading a meſſage be ſent to the Burgeſſes to Signify to that houſe the Amendmts and alteracons which the Council think Neceſſary to be made in that bill, and that the ſd meſſage be prepared agt to morrow morning

A meſſage from ye Burgeſſes by Mr *Buckner* and others who brought the Book of publick Claims paſt by that houſe To which they deſire the Concurrence of ye Council and alſo

Sevll Reſolves of that houſe for allowance of ſix ℔ *Cent* to Mrs *Elizth Harriſon* for money paid by her in *Sterling* more than was recd on that Specie by her decd huſband as Treaſurer of the late Impoſitions, To which they deſire the Concurrence of the Council

A meſſage from the Burgeſſes by Mr *Holloway* and others that ye houſe had paſſed A bill Entituled *an Act for raiſeing a Land force for carrying on a War againſt the* Tuſcaruro *Indians*

Indians their Adherents and Abetters and for punifhing Mutuny and defertion and for paym^t of the Army. A bill for appointing Rangers and alfo a bill Entituled *an Act appointing a Treafurer.* To which they defire the Concurrence of the Council—

A meffage from the Burgeffes by M^r *Jno Robinfon* and others that the houfe had paffed a bill Entituled *an Act to Enable* Jno Cuftis *Gent and* Frances *his wife to fell a Mill and certain Lands and Negros wch are entailed on the f^d* Frances *by the laft will and Teftament of* Daniell Parke *Efq^r dec^d for paym^t of ye debts and Legacys of ye f^d* Daniell To wch they defire ye Concurrence of ye Council

A bill Entituled *an Act for raifeing a Land force for carrying on a Warr ag^t the* Tufcaruro *Indians their Adherents and Abettors and for punifhing Mutuny and defertion and for payment of the Army.* read the firft time and

Ordered

A Second Reading

A bill Entituled *an Act for appointing Rangers.* read the firft time. and

Ordered

A Second Reading

A bill Entituled *An Act appointing a Treafurer* Read the 1^ft time & Ordered a 2^d Reading

A bill Entituled *an Act to Enable* Jno Cuftis *and* Frances *his wife to fell a Mill and divers Lands and Negros wch are entailed on the f^d* Frances *by the laft will and Teftament of* Daniell Parke *Efq^r dec^d for payment of ye debts and Legacys of the f^d* Daniell. read the firft time. and

Ordered

A Second Reading

Mr *Henry Cary* prefented his Acc^tt of Difburftm^ts about the Governours houfe and *it is Ordered* that the f^d Acc^ts ly on the Table to be perufed by the members of ye Council

And then the Council Adjourned till to morrow morning 9 a Clock

---

Thurfday December the 13th 1711

Prefent

THE Govern^r, And the Same Council as Yefterday

Ordered

That ye Clerk of the Gen^ll Affembly carry the following meffage from the Govr to the houfe of Burgeffes

Mr Speaker *and Gent of the houfe of Burgeffes*

I think it proper to lay before you the Treaty I haue concluded with 8 Towns of the *Tufcaruro* Indians wherein you will perceive by the Supplys and Rewards promifed them in the 6th 7th and 8th Articles and more Efpecially what is menconed in the 9th That I rely upon the Affurances you gaue me in y^r Addrefs of the 28th of *Novemb^r* But ye rewards that are to be given to thofe Indians will Shorten ye work and Leffen ye Charge of our Expedition from hence. By the 4th Article you will Obferve they are Obliged to fend hoftages for ye faithfull performance of their Engagem^ts which being Neceffary for makeing this Treaty Effectual. I think proper to put you in mind of what I Recommended to you in my Speech at ye opening of this Seffion for affifting the College to Support ye Charge of their maintenance and Education of thofe hoftages and haveing Communicated to fome of the members of y^r houfe a project whereby that may be done without any Charge to the Country I haue no doubt but it will be ready Agreed to by y^r houfe—

A bill Entituled *an Act Appointing Rangers* read ye Second time and Committed for Amendments—

The meffage to the Burgeffes upon the Subject matter of the bill for granting to her Majefty certain dutys and Impofitions upon goods and Merchandizes for carrying

on

on a War againſt the *Tuſcarure* Indians their Adherents and Abetters being prepared was Read. and Ordered to be Carried to the houſe of Burgeſſes by the Clerk of ye Genl Aſſembly. and is as follows

*M^r^* Speaker *and Gentl^n^ of the Houſe of Burgeſſes*

The Council haveing now . . . . . [See J. of H. of B., pp. 332-335.]

A bill for Raiſing a Land force for carrying on a Warr againſt the *Tuſcaruro* Indians their Adherents and Abetters and for puniſhing Mutuny and deſertion and for payment of ye Army. read the 2^d^ time and Committed for Amendments

And then ye Council adjourned till to morrow Morning 9 a Clock

---

*Friday Decemb^r^* ye 14th 1711

Preſent

AS YESTERDAY

A Bill to Enable *Jno Cuſtis* and *Frances* his Wife to ſell a Mill and Certain Lands and Negros wch are entailed on the ſ^d^ *Francis* by the laſt will and Teſtam^t^ of *Daniell Parke* Eſq^r^ dec^d^ for paym^t^ of the debts and Legacys of y^e^ ſaid *Daniell*

Read the 2^d^ time and

Ordered

A third reading

A bill Entituled *an Act for appointing Rangers*, read the third time with ye Amendm^ts^

Reſolved

That the bill as Amended do paſs

Ordered

That the Clerk of ye Gen^ll^ Aſſembly do carry the ſ^d^ bill to the Burgeſſes and acq^t^ them y^t^ the Council have made Severall amendments thereto to wch they deſire ye Concurrence of that houſe.

And then the Council adjourned dureing Pleaſure

AND being again mett

A bill Entituled *an Act to Enable* Jno Cuſtis *and* Frances *his Wife to ſell a Mill and certain Lands and Negros which are entailed on y^e^ ſ^d^* Francis *by the laſt will and Teſtam^t^ of* Daniell Parke *Eſq^r^ dec^d^ for Paym^t^ of ye Debts and Legacys of y^e^ ſaid* Daniel Read the 3^d^ time

Reſolved

That ye bill do Paſs

Ordered

That ye Clerk of ye Gen^ll^ Aſſembly carry the ſ^d^ bill to ye Burgeſſes and acq^t^ them y^t^ the Council have paſſed the ſame without Amendments

A meſſage from ye Burgeſſes by Mr *Holloway* and others that ye Burgeſſes had agreed to the Amendm^ts^ propoſed by the Council. To that bill Entituled *an Act for appointing Rangers* and had incerted them therein.

The Council proceeded to take into Conſideration Mr *Cary*s Acc^ts^ and after ſome time ſpent therein

Reſolved

That the further Conſideracon of y^e^ ſ^d^ Acc^ts^ be Referred till *Munday* next

And then ye Council Adjourned till to morrow Morning 9 a Clock

Saturday

Saturday December the 15th 1711

Preſent

AS BEFORE

A Meſſage from yᵉ Burgeſſes by Mʳ *Holloway* and others that yᵉ houſe had Commanded them to attend yᵉ Council with a Written meſſage in anſwer to their honʳˢ meſſage of yᵉ 13th inſtant propoſing certain Amendmᵗˢ to yᵉ bill Entituled *an Act for granting to her Majeſty certain dutys upon Sevˡˡ goods and Merchandizes for carrying on a Warr againſt* yᵉ Tuſcaruro *Indians their Adherents and Abetters*

And yᵉ ſᵈ meſſage being read in the following words

May it pleaſe yoʳ *Honʳˢ*

This houſe haveing taken . . . . . [See J. of H. of B., p. 336.]

Reſolved

That a Conference be deſired with the Burgeſſes upon the Subject matters of yᵉ Councils meſſage of the 13th inſtant not taken notice of in the Anſwer this day delᵈ

A bill Entituled *an Act for raiſing a Land force for Carrying on a Warr againſt* yᵉ Tuſcarouro *Indians their Adherants and Abetters and for puniſhing Mutuny and diſertion and for payment of* yᵉ *Army*. Read yᵉ third time with yᵉ Amendments

Reſolved

That the bill with yᵉ Amendments do paſs

Ordered

That the Clerk of the Genˡˡ Aſſembly carry the ſᵈ Bill to yᵉ Burgeſſes and acqᵗ them that the Council haue made Sevˡˡ Amendments thereto to which they deſire yᵉ Concurrence of that houſe

The Council haveing Examined the Bill for appointing Rangers and being Satisfyed that yᵉ Amendments are truely inſerted

Ordered

That yᵉ Clerk of the Genˡˡ Aſſembly returne yᵉ ſᵈ Bill to yᵉ Burgeſſes

And then yᵉ Council Adjourned till *Munday* Morning 10 a Clock

---

Mvnday December the 17th 1711

Preſent

EDMUND JENINGS, *Robert Carter, James Blair, Philip Ludwell, John Smith. William Byrd* Eſqʳˢ

Ordered

That yᵉ Clerk of the Genˡˡ Aſſembly go to yᵉ houſe of Burgeſſes and acqᵗ them that the Council deſire an Immediate Conference with that houſe on the Subject matter of their meſſage of the 13th inſtant. and haue appointed three of their Members to manage the Same with Such a Number that houſe ſhall think fitt

Ordered

That Mʳ Commiſſary *Blair Phillip Ludwell* and *Wᵐ Byrd* Eſqʳˢ do manage yᵉ ſᵈ Conference

A meſſage from yᵉ Burgeſſes by Mʳ *Holloway* and others yᵗ the houſe had agreed to yᵉ Conference deſired by their Honʳˢ and that their Managers would be Ready in yᵉ Conference Room

Ordered

That a bill be brought in to prevent Tradeing with yᵉ Indians

Then yᵉ Council Adjourned dureing Pleaſure and yᵉ Managers went to the Conference—

AND

AND being Returned The Council was Refumed. And ye Managers Reported that they had met^t^ ye Burgeſſes at ye Conference That ye Burgeſſes Seemd Inclinable to alter ye Title of ye Bill, but when ye Council would haue entred upon ye other Amendm^ts^ The Managers for ye Burgeſſes declared they were bound down by the Orders of their houſe not to Confer upon any part of ye Bill wch Concerned ye dutys impoſed or ye time of their Continuance Whereupon ye Conference broke up—

Ordered

That ye f^d^ Report be Conſidered to Morrow Morning

And then the Council Adjourned till to morrow morning 10 a Clock—

Tueſday December the 18th 1711

Preſent

EDMUND JENINGS, *Robt Carter, James Blair, John Smith* and *William Byrd* Eſq^rs^

A bill to prevent Tradeing with the Indian Enemy being prepared was read the firſt time. and

Ordered

A Second Reading

A meſſage from ye Burgeſſes by Mr *Holloway* and others who brought the following written Meſſage upon Occaſion of ye Conference had between their hon^rs^ & that houſe

Reſolved

That this houſe doth agree to give leave to ye Council to amend ye bill Intituled *an Act for Granting to her Majeſty certain dutys upon Sev^ll^ goods and Merchandizes for Carrying on a Warr againſt the* Tuſcaruro *Indians their Adherents and Abetters* in the Title and Preamble According to their meſſage on the 13th inſtant and alſo to amend y^e^ ſaid Bill in Such Other parts as Neceſſarily require Amending upon ye Alteracon of ye Title—

The Council proceeded to take into Conſideracon the book of Claims and haveing Spent ſome time therein

Ordered

That ye Conſideracon of ye book of Claims be further proceeded in to morrow Morning

Then the Council Adjourned till to Morrow morning 9 a Clock

Wedneſday December the 19th 1711

Preſent

AS YESTERDAY

The Reſolves of ye houſe of Burgeſſes for allowance of 6 ℔ *Cent* for ye defference of Exchange between *Sterling* and Currant Money on £781: 14: 2 3/4 paid by Mrs *Eliz^th^ Harriſon* Adminiſt^x^ of ye Eſtate of *Benj^a^ Harriſon* Junr Gent dec^d^ late Treaſurer of the Impoſitions being read

Reſolved

That the Council do agree to the f^d^ Reſolves that 6 ℔ *Cent* be paid ye f^d^ Mrs *Eliz^th^ Harriſon* on £781: 14: 2 3/4 out of ye Publick Moneys in Mr *Treaſurer* hands amounting to £47: 1: 10

The book of Claims being read through and Conſidered. And thereupon a Petition of *Edmund Jenings* Eſq^r^ for ffees for ye Court of *Oyer* and *Terminer* and alſo a Petition of *William Byrd* Eſq^r^ for allowance of Sloop hyre for Paliſadoes being read

Ordered

That the ſaid Claims and Allowances be aded to the Book of Claims

A

A written meſſage being prepared to be ſent to ye Burgeſſes was read as follows

*M^r^* Speaker *and Gent^n^ of the houſe of Burgeſſes*

The Council haue alwais Judged . . . . . [See J. of H. of B., p. 338.]

And thereupon the queſtion being put that y^e^ ſaid Meſſage be now ſent. *it paſſed in the Affirmative*

Ordered

That the Clerk of ye Gen^ll^ Aſſembly carry the f^d^ Meſſage to the Burgeſſes

A meſſage from ye Burgeſſes by Mr *Holloway* & others who brought the following Anſwer to the Councils Meſſage ſent this day

*May it pleaſe yor Hon^rs^*

The Burgeſſes being deſireous . . . . . [See J. of H. of B., pp. 338-9.]

Ordered

That ye f^d^ Meſſage be Conſidered to morrow

A meſſage from ye Burgeſſes by Mr *Soans* and Mr *Francis Epps* who brought an inrolled bill Entituled *an Act Appointing Rangers* to be Examined by the Council

And being Examined: *Ordered* that ye Clerk of ye Gen^ll^ Aſſembly carry the ſame to the houſe of Burgeſſes

Ordered

That ye Clerk of ye Gen^ll^ Aſſembly go to the houſe of Burgeſſes and Command their Immediate attendance on ye Govr in the Council Chamber and that they bring with them the bill for appointing Rangers to Receive the Gov^rs^ Aſſent

The Burgeſſes attending the Govr Signed ye Bill for appointing Rangers And then made the following Speech—

*M^r^* Speaker *and Gentlemen of the Houſe of Burgeſſes*

Some late intellegence . . . . . [See J. of H. of B., pp. 339-340.]

A bill Entituled *an Act for reſtraining trade with Indians in this time of danger* read ye 2^d^ time and

Ordered

To be Engroſſed

And then ye Council Adjourned till to morrow morning 9 a Clock

---

Thurſday December ye 20th 1711

Preſent

AS YESTERDAY

A Bill Entituled *an Act for reſtraining Trade with Indians in this time of danger* read the third time

Reſolved

That the bill do paſs

Ordered

That ye Clerk of the Gen^ll^ Aſſembly carry the f^d^ bill to the Burgeſſes and deſire their Concurrence thereto

Ordered

That the following meſſage be ſent to the Burgeſſes with ye Book of Claims—

*M^r^* Speaker *and Gent^n^ of the Houſe of Burgeſſes*

The [Council] haveing taken into Conſideration . . . . . [See J. of H. of B., pp. 340-342.]

The Council having taken into Conſideracon the Meſſage Sent by the Burgeſſes Yeſterday

Reſolved

That the following Anſwer be returned to the f^d^ Meſſage

By the Council

The Council haveing taken into Conſideration . . . . . [See J. of H. of B., pp. 345-347.]

And then the Council Adjourned till Tomorrow morning 10 aclock

Friday

Friday December the 21ft 1711

Preſent

EDMUND JENINGS, *James Blair, Phillip Ludwell, Jne Smith* and *William Byrd* Eſqrs

The Council proceeded to take into Conſideracon Mr *henry Carys* Accts and finding therein Sevll Conſiderable payments for wch there are no Vouchers

Ordered

That the ſd *henry Cary* perfect his Accompts and lay the ſame before the Council when Required.

A meſſage from ye Burgeſſes by Mr *Buckner* and others who brought the Book of Claims with ye following written Meſſage

May it pleaſe yor Honrs

The Burgeſſes now in Aſſembly . . . . . [See J. of H. of B., p. 345.]

Saturday December the 22d 1711

Preſent

AS YESTERDAY

Ordered

That the Clerk of ye Genll Aſſembly carry the following Meſſage with the Book of Claims to the houſe of Burgeſſes

Mr Speaker *and Gent of the Houſe of Burgeſſes*

Upon conſideration of your Meſſage . . . . . [See J. of H. of B., pp. 347-348.]

And then the Council adjourned till *Munday* morning 10 aclock

---

Munday December the 24th 1711

Preſent

THE Governour, *Edmund Jenings, James Blair, Phillip Ludwell, John Smith* and *William Byrd* Eſqrs

Ordered

That the Clerk of ye Genll Aſſembly carry the following meſſage from the Govr to the houſe of Burgeſſes

Mr Speaker *and Gent of the Houſe of Burgeſſes*

When I Conſider . . . . . [See J. of H. of B., p. 349.]

And then the Council Adjourned till *Thurſday* the 24th of *January* next—

Thurſday January the 24th 1711

Preſent

EDMUND JENINGS, *James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd* Eſqrs

The Council mett and according to their former Adjournment

Adjourned till Tomorrow morning 10 a Clock

Friday January 25th 1711

Preſent

AS YESTERDAY

The Council mett and Adjourned till tomorrow morning 10 aclock

Saturday

Friday December the 21ft 1711

Prefent

EDMUND JENINGS, *James Blair, Phillip Ludwell, Jn° Smith* and *William Byrd* Efq^rs

The Council proceeded to take into Conſideracõn M^r *henry Cary*s Acc^tts and finding therein Sev^ll Conſiderable payments for wch there are no Vouchers

Ordered

That the f^d *henry Cary* perfect his Accompts and lay the ſame before the Council when Required.

A meſſage from ye Burgeſſes by Mr *Buckner* and others who brought the Book of Claims with ye following written Meſſage

May it pleaſe yor Hon^rs

The Burgeſſes now in Aſſembly . . . . . [See J. of H. of B., p. 345.]

Saturday December the 22d 1711

Prefent

AS YESTERDAY

Ordered

That the Clerk of ye Gen^ll Aſſembly carry the following Meſſage with the Book of Claims to the houſe of Burgeſſes

Mr Speaker *and Gent^n of the Houſe of Burgeſſes*

Upon conſideration of your Meſſage . . . . . [See J. of H. of B., pp. 347-348.]

And then the Council adjourned till *Munday* morning 10 aclock

---

Munday December the 24th 1711

Prefent

THE Governour, *Edmund Jenings, James Blair, Phillip Ludwell, John Smith* and *William Byrd* Efq^rs

Ordered

That the Clerk of ye Gen^ll Aſſembly carry the following meſſage from the Govr to the houſe of Burgeſſes

Mr Speaker *and Gent of the Houſe of Burgeſſes*

When I Conſider . . . . . [See J. of H. of B., p. 349.]

And then the Council Adjourned till *Thurſday* the 24th of *January* next—

Thurſday January the 24th 1711

Prefent

EDMUND JENINGS, *James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd* Efq^rs

The Council mett and according to their former Adjournment

Adjourned till Tomorrow morning 10 a Clock

Friday January 25th 1711

Prefent

AS YESTERDAY

The Council mett and Adjourned till tomorrow morning 10 aclock

Saturday

Saturday January 26th 1711

Preſent

AS YESTERDAY

A meſſage from the Burgeſſes by Mr *Buckner* and others who brought the Book of Claims and acquainted the Council that the Burgeſſes adhered to their laſt Meſſage concerning the Claims and deſire their Honrs to paſs the ſaid Book as it now ſtands

Ordered

That the book of Claims ly on the table

And then the Council Adjourned till *Munday* morning ten a Clock

---

Munday January ye 28th 1711

Preſent

THE Governor, *Edmund Jenings, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & Wm Byrd* Eſqrs.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Governor commands their immediate attendance on him in the Council Chamber

The Houſe attending

The Governor made the following Speech

"Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

Seeing the ſhort Repreſentation . . . . . [See J. of H. of B., pp. 352-355.]

And then the Council Adjourned till Tomorrow morning 10 aclock

---

Tueſday January 29th 1711

Preſent

AS YESTERDAY

The Council mett and Adjourned till Tomorrow morning 10 aclock.

Wedneſday January 30th 1711

Preſent

EDMUND JENINGS, *James Blair, Robert Carter, Henry Duke, John Smith, John Lewis & William Byrd* Eſqrs

This day being the Anniverſary Faſt for the murder of King *Charles* the 1ſt

The Council Adjourned till Tomorrow morning 10 aclock

Thurſday January 31ſt 1711

Preſent

THE Governor, *Edmund Jenings, Robert Carter, Henry Duke, John Smith, John Lewis & William Byrd* Eſqrs

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Governor commands their immediate attendance on him in the Council Chamber, and that they bring with them ſuch Bills as are ready for his Aſſent.

The Houſe attending

Mr *Speaker* addreſſed himſelf to the Governor as follows

May it pleaſe Your Honr

In Obedience to your commands her Majeſtys Loyal and dutifull Subjects the Burgeſſes now attend Your Honr with ſeveral bills agreed on by the honble Council and themſelves to receive Your Honrs Aſſent. And then the titles of the ſaid bills being read were ſigned by the Governor and Speaker and are as follows *vizt*

An Act directing the manner of granting probats of Wills and adminiſtration of Inteſtates Eſtates

An Act for building a Goal for Debtors to be committed to by the General Court

An Act to enable Frances Yeats *of the County of* Richmond *to convey certain Lands lying in the ſaid County to* John Tayloe *Gent in lieu of other Lands and Negros of greater value to be ſettled to the ſame uſes.*

An Act to enable John Cuſtis *and* Frances *his Wife to ſell a Mill and divers Lands & Negros which are entailed on the ſaid* Frances *by the laſt Will and teſtament of* Daniel Park *Eſqr decd for payment of the Debts and Legacys of the ſaid* Daniel.

And then the Governor made the following Speech

"*Mr* Speaker *and Gentlemen of the Houſe of Burgeſſes*

"I have now paſſed every matter during this Seſſion which the Council in their "Judgments and Conſciences have thought proper to be offered me for my Aſſent, and "even one bill wherein I yield up ſome of my own Right, which if her Majeſty ſhall "approve of I very willingly conſent to, as beleiving it may be for the eaſe of the people. "And if the Majority of your Houſe had ſeperated their private Advantages or prejudices "from the publick Intereſt, I'm perſwaded the juſt Claims of ſeveral of the People you "repreſent had not now been rejected; nor would you have inſiſted on ſuch improper "meaſures as you haue lately done for ſecuring your Country.

"I expected you would in this dangerous Conjuncture have applyed your ſelves to "ways and means for retrieving Aſſembly Creditt and for preſerving the peace and "honour of her Majeſtys Government But ſeeing that inſtead thereof You are Reſolved "to ſpend your time in nothing but diſagreeable intentions I muſt be ſo juſt to the People "as to eaſe them of a Charge that in all Likelyhood would prove more burthenſome than "beneficial

"And therefore I do diſſolve You & You are hereby Diſſolved

Examined ℔

Wil Robertſon Cl Gen Aſſ^{bly}

535-536

AT A

GENERAL ASSEMBLY

begun & held at her Majesty's Royal Capitol the 22d day of *October* in the Eleventh year of the Reign of Our Sovereign Lady *Anne* by the grace of God of *Great Brittain France* and *Ireland* Queen Defender of the Faith &c. And in the year of our Lord 1712

At a General Assembly begun & held at her Majesty's Royal Capitol the 22d day of *October* in the Eleventh year of the Reign of Our Sovereign Lady *Anne* by the grace of God of *Great Brittain France* and *Ireland* Queen Defender of the Faith &c. And in the year of our Lord 1712

[*October* the 22nd, 1712.]

Present

THE honble *Alexander Spotswood* Her Majesty's Lievt Governor and Commander in Chief of the Colony and Dominion of *Virginia*, *Robert Carter*, *James Blair*, *Henry Duke*, *John Smith*, *William Byrd* & *William Fitzhugh* Esqrs

James Blair, *John Smith* and *William Fitzhugh* Esqrs being commissioned by the Governor to administer the Oaths appointed by Law to the Burgesses of this present General Assembly reported that they had accordingly administred the said Oaths to fourty nine of the Members returned to serve in this Assembly, who are now mett in their House.

Ordered

That the Clerk of the General Assembly go to the House of Burgesses and acquaint them that the Governor commands their imediate attendance on him in the Council Chamber.

The Burgesses accordingly attending

The Governor was pleased to say as follows,

Gentlemen, I am very well pleased to see the Representatives of the people so ready to meet me here on the day appointed; This seems to be the greatest appearance that has been on the first day of an Assembly, I have nothing more to tell you at present than that You proceed to the Choice of a Speaker.

And then the Council Adjourned till Tomorrow morning ten aclock

---

Thursday October the 23d 1712

Present

THE Honble the Lievtenant Governor, *Robert Carter*, *John Custis*, *James Blair*, *Henry Duke*, *John Smith* & *William Fitzhugh* Esqrs

A message from the House of Burgesses to the Governor by Mr *William Robinson* and others, that the House had made choice of a Speaker, and waited the Governors commands when they shall attend to present him

Ordered

That the Clerk of the General Assembly go to the House of Burgesses and acquaint them that the Governor commands their immediate attendance in the Council Chamber

William Byrd Esqr Present

The House of Burgesses attending, *Peter Beverley* of the County of *Glouc*ester addressed himself to the Governor to this Effect. That in obedience to his Honrs commands Yesterday the House of Burgesses had imediately proceeded to the choice of a Speaker. That they had been pleased to make choice of him for that Office, but that he was too sensible of his own disabilitys, as not to think they had made that choice to disadvantage, and therefore submitted to his honr whether he would be pleased to direct the house to make a new Election, Whereupon the Governor was pleased to answer, Mr *Beverley*, I am so sincerely disposed to concurr with the House of Burgesses in every matter, which in justice and conscience I may, that I cannot but approve of the choice they

they have made of You to be their Speaker. Then the Speaker in behalf of the whole Houſe of Burgeſſes prayed that the Burgeſſes in their perſons, Servants and Eſtates may be free from Arreſts and other diſturbances; That in all their debates they may have freedom of Speech, and (as occaſion ſhall require) Acceſs to the Governors perſon. And in behalf of himſelf, that none of his Failings or inadverteneys may redound to the prejudice of the Houſe of Burgeſſes or any Members thereof.

To which the Governor made Anſwer That all due Rights and priviledges belonging to that Houſe ſhould be confirmed and continued to them.

And then the Governor made the following Speech

Gentlemen of the Council and Houſe of Burgeſſes

I ſhall in a few words . . . . . [See J. of H. of B., 1712-1726, p. 4.]

Then the Burgeſſes withdrew

And the Council Adjourned till Tomorrow morning Ten aclock.

Friday October the 24th 1712

preſent

ROBERT CARTER, *John Cuſtis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh* Eſqrs

The Council mett and

Adjourned till Tomorrow morning Ten aclock

Saturday October the 25th 1712

Preſent

THE Governor, *Robert Carter, Philip Ludwell, Henry Duke, John Lewis & William ffitzhugh* Eſqrs

A meſſage from the Houſe of Burgeſſes to the Governer by Mr *William Robinſon* and others that the Houſe had prepared an Addreſs to his Honr in anſwer to his Speech and had directed them humbly to preſent the ſame.

Then the ſaid Addreſs was read and is as follows

To the Honble Alexander Spotſwood *Eſqr her Majeſtys Lievt Governor of* Virginia

May it pleaſe Your Honour

We her Majeſtys . . . . . [See J. of H. of B., p. 8.]

John Cuſtis and *William Byrd* Eſqrs Preſent

Sundry Grievances and propoſitions from the County of *Norfolk* being read Upon conſideration thereof

Reſolved

That ſo much only of the ſaid propoſitions and Grievances as are properly cognizable by the Genll Aſſembly be Referred to the conſideration of the Houſe of Burgeſſes

The petition of *Peter Jones* Lievtenant of the Rangers in *Prince George* County in behalf of himſelf and the ſaid Rangers

The petition of *Chriſtopher Smith* Lievtenant of the Rangers in *King William* County praying allowance for his Service and

The petition of *James Adams* Interpreter to the *Pamunkey* and *Chicahominy* Indians praying Allowance of two years Sallary due to him

Were ſeverally read and referred to the conſideration of the Houſe of Burgeſſes

And then the Council Adjourned till *Munday* morning Ten aclock.

Munday

Munday October the 27th 1712

Preſent

THE Governor, *James Blair, Philip Ludwell, Henry Duke, John Lewis, William Byrd & William Fitzhugh* Eſqrs

The petition of *Charles Kimball* praying Allowance for attending four times at *Williamſburgh* and interpreting to the *Saponie, Occoneechee & Stakanox* Indians, and that he may be appointed Interpreter to the ſaid Indians for the future, with a ſuitable Sallary was Read, and

Ordered

That the ſaid petition be referred to the conſideration of the Houſe of Burgeſſes

And then the Council Adjourned till tomorrow morning ten aclock.

Tueſday October the 28th 1712

preſent

JAMES BLAIR, *Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh* Eſqrs

The Council mett and

Adjourned till Tomorrow morning ten aclock.

Wedneſday October the 29th 1712

preſent

THE ſame Council As Yeſterday

The Council mett and Adjourned till Tomorrow morning ten aclock.

Thurſday October the 30th 1712

preſent

AS YESTERDAY

The Council mett and Adjourned till Tomorrow morning ten aclock

---

Friday October the 31ſt 1712

Preſent

THE Honble the Lievtenant Governor, *Robert Carter, John Cuſtis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd* and *William Fitzhugh* Eſqrs

The petition of *Chriſtopher Smith* Lievtenant of the Rangers for the County of *King William* praying Allowance for a Horſe killed in that Service Read and referred to the conſideration of the Houſe of Burgeſſes.

And then the Council Adjourned till Tomorrow morning ten aclock

---

Saturday November the 1ſt 1712

Preſent

THE Governor, *Robert Carter, John Cuſtis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd & William Fitzhugh* Eſqrs

Ordered

That the Clerk of the General Aſſembly carry the following Meſſage from the Governor to the Houſe of Burgeſſes

Mr

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

Among the various meaſures . . . . . [See J. of H. of B., p. 15.]

And then the Council Adjourned till *Munday* morning Nine aclock.

Munday Novemr 2d [3d] 1712

preſent

ROBERT CARTER, *John Cuſtis, James Blair, Philip Ludwell, Henry Duke, John Smith, William Byrd & William Fitzhugh* Eſqrs

The Council mett and Adjourned till Tomorrow morning ten aclock.

Tueſday November the 4th 1712

Preſent

ROBERT CARTER, *John Cuſtis, James Blair, Henry Duke, John Smith & William Fitzhugh* Eſqrs

The petition of Mr Secretary *Cocke* for the uſual Allowance for iſſuing out of his office twenty ſeven Writts for Election of Burgeſſes to ſerve in this Aſſembly

The petition of *Chichely Corbin Thacker* for his uſual Allowance as Clerk of the Secretarys Office, and

The petition of *Bridget Menetree* praying Allowance for work done by *David Menetree* her deced huſband for the publick Service

Were ſeverally Read and Referred to the conſideration of the Houſe of Burgeſſes

And then the Council Adjourned till Tomorrow morning Ten aclock

---

Wedneſday November the 5th 1712

preſent

ROBERT CARTER, *John Cuſtis, James Blair, Philip Ludwell, Henry Duke, John Smith & William ffitzhugh* Eſqrs

A meſſage from the Burgeſſes by Mr *Holloway* and others who brought a bill Entituled *An Act to prevent trading with Indians* to which they deſire the Councils concurrence.

A meſſage to the Governer by Mr *Holloway* and others that they were commanded by the Houſe to attend his Honr with an Addreſs upon the Subject matter of his meſſage on the 1st of *November*, and Alſo to acquaint him that ſince the ſaid Addreſs was agre'd to by the Houſe they have been informed that the Indians in priſon are in want of neceſſarys & Cloaths and deſire his Honr to give ſuch directions therein for the preſervation of their Lives as he ſhall think neceſſary

Then the ſaid Addreſs was read as follows

To the honble Alexander Spotſwood *her Majeſtys Lievten Governor of* Virginia

May it pleaſe Your Honr

We her Majeſtys . . . . . [See J. of H. of B., p. 18.]

John Lewis Eſqr Preſent

A bill Entituled *An Act to prevent trading with Indians* Read the firſt time and *Ordered* a ſecond Reading

And then the Council Adjourned till Tomorrow morning Ten Aclock

Thurſday

Thurſday November the 6th 1712

Preſent

ROBERT CARTER, *John Cuſtis, James Blair, Henry Duke, John Smith, John Lewis, William Byrd* and *William Fitzhugh* Eſqrs

A bill Entituled *An Act to prevent trading with Indians* Read the ſecond time and

The Queſtion being put That the bill be read a third time

It paſſed in the Negative, And thereupon

Reſolved

That the Bill be Rejected

Reſolved

That a bill be prepared to prevent trading with Indians during the prohibitions laid or to be Laid by proclamations of the Government, And that Mr Commiſſary *Blair William Byrd* and *William Fitzhugh* Eſqrs prepare and bring in the ſaid Bill.

And then the Council Adjourned till Tomorrow morning Nine aclock

---

Friday November the 7th 1712

Preſent

THE Governor, *Robert Carter, John Cuſtis, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis, William Byrd* and *William Fitzhugh* Eſqrs

A meſſage to the Council by Mr *William Robinſon* and others who brought a Bill Entituled *An Act to repeal An Act Entituled* An Act declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Eſtate, *and to repeal a Clauſe in An Act Entituled* An Act for the diſtribution of inteſtates Eſtates, declaring Widows Rights to their deceaſed Huſbands Eſtates and for ſecuring Orphan's Eſtates, *Relating to the third part of the inteſtates Eſtate given to the Wife of the Inteſtate; And alſo to repeal a Clauſe in An Act Entituled* An Act declaring the manner of granting probates of Wills and Adminiſtration of Inteſtates Eſtates *Relating to the delivery of Slaves to the perſon or perſons to whom the ſame are declared to belong by the ſaid Act Entituled* An Act declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Eſtate *And alſo to declare what part of the Eſtate of perſons hereafter dying inteſtate ſhall be given to the Wife of ſuch Inteſtate.* To which they deſire the Councils concurrence. Alſo that the Burgeſſes had on the petition of Mr *Fredrick Jones* granted him Liberty to import certain Negro Slaves from *North Carolina* without paying the duty of five pound a head. To which they deſire the Councils concurrence

Ordered

That the Clerk of the General Aſſembly carry the following Meſſage from the Governor to the Houſe of Burgeſſes

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

In anſwer to your Addreſs . . . . . [See J. of H. of B., p. 21.]

Mr Commiſſary *Blair* reported that the perſons appointed had prepared a Bill to prohibite all Trade with the *Tuſcaruro* & other Indians concerned in the late Maſſacre in *North Carolina*, and for the better regulating the Indian trade and the ſd Bill was received and read the firſt time and

Ordered a ſecond Reading Tomorrow morning

A bill Entituled *An Act to repeal An Act Entituled* An Act declaring the Negro Mulatto and Indian Slaves within this Dominion to be real Eſtate, *And to repeal a Clauſe in An Act Entituled* An Act for the diſtribution of Inteſtates Eſtates declaring Widows Rights to their deceaſed Huſbands Eſtates and for ſecuring Orphans Eſtates, *relateing to the third part of the Inteſtates Eſtate given to the Wife of the Inteſtate; and alſo to repeal a Clauſe in an Act Entituled* An Act directing the manner of granting probats of Wills and Adminiſtration of Inteſtates Eſtates, *relating to the delivery of Slaves*

Slaves to the perſon or perſons to whom the ſame are declared to belong by the ſaid Act Entituled An Act declaring the Negro, Mulatto & Indian Slaves within this Dominion to be real Eſtate *And alſo to declare what part of the Eſtate of perſons hereafter dying Inteſtate ſhall be given to the Wife of ſuch Inteſtate* Was Read the firſt time and

Ordered a ſecond Reading

The Reſolve of the Houſe of Burgeſſes upon the petition of *Fredrick Jones* being read *Reſolved*

That the Council do concurr with the Burgeſſes that Leave be given the petitioner to import into this Colony three Negro Slaves exported from hence into *North Carolina* and four Negro children borne of one of the ſaid Slaves and mentioned in the ſaid petition without paying the dutys impoſed by the Law now in force.

Ordered

That the Clerk of the General Aſſembly carry the ſaid Reſolve to the Houſe of Burgeſſes

And then the Council Adjourned till Tomorrow morning nine aclock

---

Saturday November the 8th 1712

Preſent

ROBERT CARTER, *John Cuſtis, James Blair, Henry Duke, John Smith, John Lewis* and *William Byrd* Eſqrs

A bill Entituled *An Act to prohibite all trade with the* Tuſcaruro *and other Indians concerned in the late Maſſacre in* North Carolina *And for the better regulating the Indian trade* Read the ſecond time and

Committed for Amendments

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Allerton* and others who brought a bill Entituled *An Act to impower Surveyors of highways to take Trees to make or repair bridges and high ways* To which they deſire the Council's concurrence.

And the ſaid Bill was read the firſt time and

Ordered a ſecond Reading

And then the Council Adjourned till *Munday* morning Nine aclock

---

Munday November the 10th 1712

Preſent

ROBERT CARTER, *James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis* and *William Byrd* Eſqrs

A meſſage from the Burgeſſes by Mr *Holloway* and others who brought a bill Entituled *An Act to prevent land Lapſing from Infants for not ſeating and planting or not paying Quittrents, untill three years after they come of age,* to which they deſire the Councils concurrence.

A meſſage from the Burgeſſes by Mr *John Robinſon* and others who brought a Bill Entituled *An Act for making void certain proceedings of the Veſtry of the pariſh of* Chriſt Church *in the County of* Middleſex *and for building a New Church in the ſaid pariſh,* to which they deſire the Councils concurrence.

A bill Entituled *An Act to prevent Land lapſing from Infants for not ſeating and planting or not paying Quittrents untill three years after they come of Age* Read the firſt time and

Ordered a ſecond Reading

A bill Entituled *An Act for making Void certain proceedings of the Veſtry of the pariſh of* Chriſt Church *in the County of* Middleſex, *and for building a new Church in the ſaid pariſh* Read the firſt time and

Ordered

Ordered a Second Reading on *Fryday* next

Ordered

That the Veſtry of *Chriſt Church* be heard before the ſecond reading of the ſaid Bill, and that they have notice to attend on *Friday* next

And then the Council Adjourned till Tomorrow morning Nine aclock

---

Tueſday November the 11th 1712

Preſent

ROBERT CARTER, James Blair, Philip Ludwell, Henry Duke, John Smith, John Lewis & William Byrd Eſqrs

A bill Entituled *An Act to repeal an Act Entituled* An Act declaring the Negro Mulatto & Indian Slaves within this Dominion to be real Eſtate, *and to repeal a Clauſe in an Act Entituled* An Act for the diſtribution of Inteſtates Eſtates, declaring Widows Rights to their deceaſed Huſbands Eſtates and for ſecuring Orphans Eſtates *relateing to the third part of the Inteſtates Eſtate given to the Wife of the Inteſtate, and alſo to repeal a Clauſe in An Act Entituled* An Act directing the manner of granting probates of Wills and Adminiſtration of Inteſtates Eſtates *relateing to the delivery of Slaves to the perſon or perſons to whom the ſame are declared to belong by the ſaid Act Entituled* An Act declaring Negro Mulatto and Indian Slaves within this Dominion to be real Eſtate, *And alſo declaring what part of the Eſtate of perſons hereafter dying Inteſtate ſhall be given to the Wife of ſuch Inteſtate* Was read the ſecond time.

And

The queſtion being put that the ſaid Bill be read a third time

It paſſed in the Negative

A bill Entituled *An Act to impower Surveyors of highways to take trees to make or repair Bridges and Highways* Read the ſecond time and

Committed for Amendments

Reſolved

That a bill be prepared purſuant to her Majeſtys Inſtructions concerning the Seating and planting of Lands, and

Ordered

That it be Referred to Mr Comiſſary *Blair* and Coll° *Philip Ludwell* to prepare and bring in the ſaid bill

And then the Council Adjourned till Tomorrow morning nine aclock

---

Wedneſday November the 12th 1712

preſent

ROBERT CARTER, James Blair, Philip Ludwell, Henry Duke, John Smith and *John Lewis* Eſqrs

A bill Entituled *An Act to impower Surveyors of Highways to take trees to make or repair bridges and highways* Read the third time with the Amendments

Reſolved

That the bill with the amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes and acquaint them that the Council have paſſed the ſame with ſeveral amendments to which they deſire the concurrence of that Houſe.

A bill Entituled *An Act to prohibite all trade with the* Tuſcaruro *and other Indians concerned in the late Maſſacre in* North Carolina, *and for the better regulating the Indian trade* Read the ſecond time with the amendments

Ordered

That the bill with the amendments be engroſſed

A

A bill being prepared purſuant to Yeſterdays Reſolve Entituled *An Act declaring what ſhall be accounted a ſufficient Seating and planting of Lands hereafter to be taken up and patented* The ſame was read the firſt time and

Ordered a ſecond Reading

And then the Council Adjourned till Tomorrow morning Ten aclock

---

Thurſday November the 13th 1712

preſent

ROBERT CARTER, *James Blair, Henry Duke, John Smith & John Lewis* Eſqrs

A bill Entituled *An Act declaring what ſhall be accounted a ſufficient ſeating and planting of Lands hereafter to be taken up and patented* Read the ſecond time

Ordered

That the ſaid bill be engroſſed

Philip Ludwell Eſqr preſent

A meſſage from the Burgeſſes by Mr *Holloway* and others who brought the following bills *Viz*

A bill Entituled *An Act to continue an Act Entituled* An Act for appointing Rangers and for encreaſing their pay. A bill Entituled *An Act for appointing Rowling houſes and publick Landings* and a bill Entituled *An Act to enable* William Manley *Gent to ſell & diſpoſe of certain entailed Lands and tenements lying in the County of* Weſtmoreland *on ſettling other Lands and tenements lying in the ſaid County, of which he is ſeized in fee to the ſame uſes*, to which they deſire the Councils concurrence. Mr *Holloway* alſo acquainted the Council that the Burgeſſes had taken into conſideration the amendments propoſed by their Honrs to the bill Entituled *An Act to impower Surveyors of Highways to take trees to make or repair bridges and highways*, and that they had agreed to ſome of the ſaid amendments, and to others had diſagreed, and deſire their Honrs to paſs the ſaid bill without thoſe amendments to which the Burgeſſes have diſagreed.

A bill Entituled *An Act to continue an act Entituled* An Act for appointing Rangers. and for encreaſing their pay Read the firſt time and

Ordered a ſecond Reading

A bill Entituled *An Act for appointing Rowling houſes and publick Landings and for aſcertaining the prices of Storeage* Read the firſt time and

Ordered a ſecond Reading

A bill Entituled *An Act to enable* William Manley *Gent to ſell and diſpoſe of certain entailed Lands and tenements lying in the County of* Weſtmoreland, *on ſettling other Lands and tenements lying in the ſaid County of which he is ſeized in fee to the ſame uſes* Read the firſt time and

Ordered a ſecond Reading

Preſent The Governor

A meſſage to the Governor by Mr *Eskridge* and others who brought an Addreſs from the Burgeſſes in anſwer to his Honrs meſſage of the firſt of this month which Addreſs is as followeth

To the honble Alexander Spotſwood *her Majeſtys Lievtenant Governor of* Virginia

May it pleaſe Yor Honour

We her Majeſtys moſt Loyal . . . . . [See J. of H. of B., p. 24.]

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and command their imediate attendance on the Governor in the Council Chamber

The Houſe attending, The Governor was pleaſed to make the following Speech

Gentlemen of the Council and Houſe of Burgeſſes

I am confident . . . . . [See J. of H. of B., pp. 25-26.]

Then

Then the Burgeſſes withdrew and The Addreſs of the Aſſembly of *North Carolina* being Read

Ordered

That the Clerk of the Gen^{ll} Aſſembly carry the ſame to the Burgeſſes

And then the Council Adjourned till Tomorrow morning ten aclock

---

Friday November the 14th 1712

Preſent

ROBERT CARTER, *James Blair, Philip Ludwell, Henry Duke, John Smith* & *John Lewis* Eſq^{rs}

An ingroſſed bill Entituled *An Act to prohibite all Trade with the* Tuſcaruro *and other Indians concerned in the late Maſſacre in* North Carolina *and for the better regulating the Indian trade.* Read the third time

Reſolved

That the bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Houſe of Burgeſſes and deſire their concurrence thereto

The Council proceeded to take into Conſideration the Amendments to the bill Entituled *An Act to impower Surveyors of Highways to take trees to make or repair bridges and highways* to which the Houſe of Burgeſſes have diſagreed, and thereupon

Reſolved

That the Council do adhere to all their Amendments made to the ſaid Bill

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that the Council do adhere to their amendments, and deſire the Burgeſſes to paſs the ſaid bill as amended.

A bill Entituled *An Act to enable* William Manley *Gent to ſell and diſpoſe of certain entailed Lands and tenements lying in the County of* Weſtmoreland *on ſettling other Lands and tenements lying in the ſaid County of which he is ſeized in fee to the ſame uſes* Read the ſecond time and committed for amendments.

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Holloway* and others that the Burgeſſes deſire a Conference with their Hon^{rs} upon the Subject matter of the Governors Speech Yeſterday, and the Addreſs of the Aſſembly of *North Carolina* mentioned in the ſaid Speech

Reſolved

That a Conference be agreed to according to the deſire of the Houſe of Burgeſſes, and *Robert Carter, James Blair* and *Philip Ludwell* were appointed Managers for the ſaid Conference.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Council do agree to the Conference deſired, and that they have appointed three of their members to manage the ſaid Conference on their part who are now ready in the Conference room

Then the Council Adjourned during pleaſure and the Managers went to the Conference.

AND being returned

The Council mett, and

Robert Carter Eſq^{r} from the Conference with the Burgeſſes reported the Subject matter thereof, together with the arguments they had uſed to induce the Burgeſſes to aſſiſt *North Carolina*, and that the Conference was Adjourned for an hour for the Burgeſſes to report to their Houſe.

An

An engroſſed bill Entituled *An Act declaring what ſhall be accounted a ſufficient ſeating and planting of Lands hereafter to be taken up and patented* read the third time

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Burgeſſes and deſire their concurrence thereto

The Amendments to the bill Entituled *An Act to prevent Land lapſing from Infants for not ſeating and planting or not paying Quittrents untill three years after they come of age* being twice read, The ſaid bill with the Amendments was read the third time

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that the Council have paſſed the ſame with ſome amendments, to which they deſire the concurrence of that Houſe.

A bill Entituled *An Act to continue an Act Entituled* An Act for appointing Rangers and for encreaſing their pay Read the ſecond time and

Ordered a third Reading

A bill Entituled *An Act for appointing Rowling houſes and publick Landings, and for aſcertaining the prices of Storeage* Read the ſecond time and

Committed for amendments

The Council being informed that the Managers of the Burgeſſes were again come to the Conference room

Then the Council Adjourned till Tomorrow morning ten aclock

Saturday November the 15th 1712

preſent

ROBERT Carter, James Blair, Philip Ludwell, Henry Duke, John Smith and *William Byrd* Eſqrs

A bill Entituled *An Act to enable* William Manley *Gent to ſell and diſpoſe of certain entailed Lands and tenements lying in the County of* Weſtmoreland *on ſettling other Lands & tenements lying in the ſaid County of which he is ſeized in fee to the ſame uſes.* Read the third time with the Amendments

Reſolved

That the bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Burgeſſes, and deſire their concurrence to the amendments made thereto

A bill Entituled *An Act for continuing an Act Entituled* An Act for appointing Rangers and for increaſing their pay Read the third time

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Houſe of Burgeſſes and acquaint them that the Council have paſſed the ſame without amendment.

Robert Carter Eſqr reported the Subject matter of the Conference with the Burgeſſes on the Governors Speech, and the Addreſs of the Aſſembly of *North Carolina*.

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Buckner* and others that the Houſe had paſſed the book of publick Claims, to which they deſire the Councils concurrence

Then the Council proceeded to the conſideration of the book of Claims, and part thereof was read.

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Holloway* and others that the Houſe had come to ſome Reſolutions of Aſſiſtance to be given to *North Carolina*, and had ordered an Addreſs to the Governor to be prepared thereupon, in which when prepared they will deſire the Council to joine

The Governor preſent

The Council being informed that ſome Gentlemen from the Veſtry of *Chriſt* Church in *Middleſex* attended, they were called in, and at the Board preſented to the Governor and Council a petition, ſubſcribed by the Major part of the ſaid Veſtry, and alſo ſundry orders of the Veſtry for the building the ſeveral Churches mentioned in the bill ſent up from the Houſe of Burgeſſes for making void certain proceedings of the ſaid Veſtry, and being heard thereupon withdrew

Then the bill Entituled *An Act for making void certain proceedings of the Veſtry of* Chriſt *Church in the County of* Middleſex, *and for building a new Church in the ſaid pariſh* was read the ſecond time

And the queſtion being put That the bill be read a third time

It paſſed in the Negative

Ordered

That the ſaid Bill ly on the Table

And then the Council Adjourned till *Munday* morning Nine aclock.

Munday November 17th 1712.

Preſent

ROBERT Carter, James Blair, Philip Ludwell, John Smith & William Byrd, Eſqrs

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Holloway* and others that the Burgeſſes had agreed to the amendments prepared by their Honrs to the bill Entituled *An Act to prevent Lands lapſing from Infants for not ſeating and planting or not paying Quittrents untill three years after they come of age;* and alſo to the amendments propoſed to the bill Entituled *An Act to enable* William Manley *Gent to ſell and diſpoſe of certain entailed Lands and Tenements lying in the County of* Weſtmoreland, *on ſettling other Lands and Tenements lying in the ſaid County, of which he is ſeized in fee to the ſame uſes,* And had inſerted the ſaid Amendments therein.

The ſaid two bills with the amendments being examined

Ordered

That the Clerk of the General Aſſembly carry the ſame to the Houſe of Burgeſſes and acquaint them that the Council are ſatisfyed that the amendments are truely inſerted, and have paſſed the Bills as amended.

A bill Entituled *An Act for appointing Rowling houſes and publick Landings and for aſcertaining the prices of Storage* being amended and the amendments twice read the ſaid bill with the amendments was read the third time

Reſolved

That the bill with the amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that the Council have made divers amendments thereto to which they deſire the concurrence of that Houſe.

Then the Council proceeded to the further conſideration of the Book of Claims and part thereof was read

A meſſage from the Burgeſſes to the Council by Mr *Holloway* and others that their Houſe had agreed on an Addreſs to the Governor in anſwer to his Speech the 13th inſtant and the Addreſs and repreſentation of the General Aſſembly of *North Carolina* therein mentioned, to which they deſire their Honrs concurrence.

The

The Addreſs prepared by the Houſe of Burgeſſes being read. Sundry amendments were made thereto

Ordered

That the Clerk of the General Aſſembly carry the ſaid Addreſs and amendments to the Houſe of Burgeſſes and acquaint them that the Council deſire their concurrence to the ſaid Amendments

And then the Council Adjourned till Tomorrow morning nine aclock

---

Tueſday November 18th 1712

Preſent

AS YESTERDAY

The book of Claims being read over, and ſundry Obſervations made thereon

Ordered

That a meſſage be prepared to be ſent to the Burgeſſes propoſing the ſeveral additions and amendments which the Council think fitt to be made in the book of publick Claims before they paſs it

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Holloway* and others that their Houſe had agreed to ſome of the Councils amendments to the Addreſs of the Governor, and to others had diſagreed, and had alſo made a further amendment to the ſd Addreſs, and deſire their Honrs to agree to the ſame as it is now amended

The Addreſs and amendments being read were agreed to, and

Ordered

That the Clerk of the General Aſſembly carry the ſaid Addreſs to the Houſe of Burgeſſes and acquaint them that the Council do not inſiſt on ſuch of their amendments as that Houſe have diſagreed to, and that they do agree to the Addreſs as amended.

A meſſage from the Houſe of Burgeſſes by Mr *Holloway* and others that the Houſe had inſerted the amendments agreed on in the Addreſs to the Governor.

Ordered

That the Clerk of the General Aſſembly return the ſaid Addreſs to the Houſe of Burgeſſes to be fairly tranſcribed.

Ordered

That the Clerk of the General Aſſembly carry the following meſſage from the Council to the Houſe of Burgeſſes

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

The Council being apprehenſive . . . . . [See J. of H. of B., p. 30.]

A meſſage from the Burgeſſes by Mr *Holloway* and others who brought the Addreſs fairly tranſcribed and ſigned by the Speaker, and left the ſame to be ſigned by the Council as they ſhall think fitt.

Ordered

That the ſaid Addreſs be ſigned by *Robert Carter* Eſqr in behalf of the Council, And the ſame was ſigned accordingly.

Ordered

That the Clerk of the General Aſſembly return the ſaid Addreſs to the Houſe of Burgeſſes, and acquaint them that as the ſaid Addreſs had the firſt Riſe in their Houſe The Council leave it to them to take the proper time for preſenting the ſame to the Governor

Preſent The Governor

A meſſage from the Burgeſſes to the Governor by Mr *Holloway* and others that the Council and Burgeſſes had agreed on an Addreſs to his Honr, in anſwer to his Speech the 13th inſtant and that they were commanded to wait on him to know his pleaſure when the Houſe ſhall attend him with the ſaid Addreſs

To

To which the Governor made Anſwer that he was now ready to receive their Addreſs in the Council Chamber

The Houſe of Burgeſſes attending Mr *Speaker* read and preſented to the Governor the Addreſs of the Council and Houſe of Burgeſſes in the words following

To the hon^ble Alexander Spotſwood *her Majeſtys Lieutenant Governor of* Virginia

May it pleaſe Your Hon^r

We her Majeſtys moſt dutifull . . . . . [See J. of H. of B., p. 31.]

To which the Governor was pleaſed to make the following Anſwer

Gentlemen

I cannot but receive . . . . . [See alſo p. 31.]

And then the Council Adjourned till Tomorrow morning Nine aclock

---

Wedneſday November the 19th 1712

Preſent

AS YESTERDAY

A meſſage from the Burgeſſes by Mr *Holloway* and others who brought the bill Entituled *An Act for appointing Rowling houſes and publick Landings, and for aſcertaining the prices of Storeage*, and acquainted the Council that the Burgeſſes had agreed to all the amendments propoſed by their Hon^rs to the ſaid bill, and had inſerted them therein; And alſo that the Houſe had agreed to their Hon^rs meſſage ſent yeſterday That in caſe the nine hundred yards of Duffells cannot be had, the ſame may be ſupplied by other courſe Woolens

The aforeſaid Bill being Examined

Ordered

That the Clerk of the General Aſſembly return the ſaid Bill to the Houſe of Burgeſſes and acquaint them that the Council are ſatisfyed the amendments are truely inſerted and have paſſed the Bill as amended.

Ordered

That the Clerk of the General Aſſembly carry the following meſſage to the Houſe of Burgeſſes together with the Book of Claims

The Council having had . . . . . [See J. of H. of B., pp. 33-34.]

[The laſt two paragraphs of the meſſage as given in the Journal of the Council are as follows:]

Among the Allowances made in your Houſe to the Officers attending the Aſſembly The Council cannot but take notice of an unuſual abatement made from the Sallary for reading Divine Service, laſt Seſſion of Aſſembly, and the rather becauſe it relates to one of their Members of whoſe readineſs to perform his duty they are well ſatisfyed, and if the Severity of the Weather for ſome few days together with the urgent buſineſs then depending did not permitt the Members of your Houſe to reſort to the publick Worſhip (as uſual) during that ſhort time The Council cannot agree to any deduction on that Account And therefore propoſe that the ſaid Article be amended according to the regulation made by the laſt Houſe of Burgeſſes.

Which additions and amendments being agreed to by your Houſe The Council will be ready to paſs the book of Claims.

And then the Council Adjourned till Tomorrow morning nine aclock

---

Thurſday November 20th 1712

preſent

AS YESTERDAY

The Council mett and having nothing before them Adjourned till tomorrow morning ten aclock

Friday

Friday November the 21st 1712

Preſent

AS YESTERDAY

A meſſage from the Burgeſſes to the Council by Mr *Buckner* and others who brought the Book of Claims with a written meſſage relateing thereto as followeth

May it pleaſe your Honrs

The Burgeſſes have conſidered . . . . . [See J. of H. of B., p. 35.]

Reſolved

That a Conference be deſired with the Burgeſſes upon the Subject matter of their laſt meſſage in Relation to the book of Claims.

A meſſage from the Burgeſſes by Mr *Holloway* and others that the Houſe could not agree to the Conference deſired by their Honrs on the Subject matter of their meſſage in relation to the book of Claims; but if the Council deſire a Conference on the laſt paragraph of that meſſage they are willing to concede to it.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Council deſire an imediate Conference on the laſt paragraph of their meſſage in relation to the book of Claims, and accordingly

Mr Comiſſary *Blair* and *William Byrd* Eſqrs were appointed Managers for the ſaid Conference.

Then the Council Adjourned during pleaſure and the Managers went to the Conference.

AND being Returned

The Council mett again, and

Mr Comiſſary *Blair* reported the Subject matter of the ſaid Conference.

A meſſage by Mr *John Robinſon* and others who brought the book of Claims amended according to what was propoſed at the Conference.

Then the book of Claims was agreed to by the Council

A meſſage from the Burgeſſes by Mr *Holloway* and others who brought a bill Entituled *An Act for continuing an Act Entituled* An Act for laying a duty on Liquors and Slaves, *and for appropriating money ſufficient to furniſh nine hundred yards of Duffells, and one thouſand pounds for the Service and Relief of* North Carolina *out of the ſaid duty, and for appointing a Treaſurer*, and alſo a bill Entituled *An Act for continuing an Act Entituled* An Act for ſecurity and defence of the Country in times of danger, to which they deſire the Council's concurrence.

And the ſaid bills were ſeverally Read the firſt time, and

Ordered a ſecond Reading

The Governor having ſigned his Aſſent to the book of Claims

Ordered

That the Clerk of the General Aſſembly carry the ſaid book of Claims to the Houſe of Burgeſſes and acquaint them that the Council have agreed to the ſame, Alſo that they have obtained the Governors Aſſent thereto.

And then the Council Adjourned till Tomorrow morning ten aclock.

Saturday

Saturday November the 22d 1712

preſent

AS YESTERDAY

A bill Entituled *An Act for continuing An Act Entituled* An Act for laying a duty on Liquors and Slaves *and for appropriating money ſufficient to furniſh nine hundred yards of Duffells, and one Thouſand pounds for the Service and relief of* North Carolina *out of the ſaid duty, and for appointing a Treaſurer* Read the ſecond time

Ordered

That the Bill be read a third time.

A bill Entituled *An Act for continuing An Act Entituled* An Act for Security and defence of the Country in times of Danger Read the ſecond time

Ordered

That the Bill be read a third time.

Preſent. The Governor

Ordered

That the Clerk of the General Aſſembly carry the following Meſſage from the Governor to the Houſe of Burgeſſes

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

As the Houſe of Burgeſſes in 1710 . . . . . [See J. of H. of B., p. 37.]

And then the Council Adjourned till *Munday* morning ten aclock.

Munday November the 24th 1712

preſent

JAMES Blair, Philip Ludwell, John Smith and *William Byrd* Eſqrs

A bill Entituled *An Act for continuing An Act for Security and defence of the Country in times of danger* Read the third time

Reſolved

That the bill do paſs

A bill Entituled *An Act for continuing An Act Entituled* An Act for Laying a duty on Liquors and Slaves, *and for appropriating money ſufficient to furniſh nine hundred yards of Duffells and one thouſand pounds for the Service and Relief of* North Carolina *out of the ſaid duty and for appointing a Treaſurer* Read the third time

Reſolved

That the bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the aforeſaid two bills to the Houſe of Burgeſſes and acquaint them that the Council have paſſed the ſame without any amendment

And then the Council Adjourned till Tomorrow morning ten aclock.

Tueſday November the 25th 1712

preſent

AS YESTERDAY

The Council mett and Adjourned till Tomorrow morning ten aclock

Wedneſday

Wednesday November 26th 1712

prefent

AS YESTERDAY

A meſſage from the Houſe of Burgeſſes to the Council by Mr *William Robinſon* and others That the Houſe had paſſed the Treaſurers accounts, and deſire their Honrs Concurrence thereto

Then the ſaid accounts were read and paſſed by the Council

Ordered

That the ſaid accounts be laid before the Governor for his Aſſent and that then the Clerk of the General Aſſembly return the ſame to the Houſe of Burgeſſes.

Ordered

That it remain an Obſervation on the Journal that Collo *Gawin Corbin* Receiver of the dutys on Liquors and Slaves in the diſtrict of *Rappahannock* from the 10th day of *December* 1710 to the 16th of *June* following hath rendered no account of the receipt of the ſaid dutys as by Law he ought to do.

Preſent The Governor

A meſſage to the Governer by Mr *William Robinſon* and others who brought the following Addreſs.

To the Honble Alexander Spotſwood *Her Majeſtys Lieutenant Governor of* Virginia

May it pleaſe Your Honr

We her Majeſtys moſt Loyal . . . . . [See J. of H. of B., p. 38.]

And then the Council Adjourned till tomorrow morning ten aclock

---

Thurſday November the 27th 1712

Preſent

AS YESTERDAY

A meſſage from the Houſe of Burgeſſes to the Council by Mr *John Robinſon* and others That the Houſe had paſſed the book of propoſitions [proportions] of the publick Levy to which they deſire the Councils concurrence

And the ſaid Book being peruſed was agreed to by the Council and

Ordered to ly on the table for the Governor's Aſſent, and that then the Clerk of the General Aſſembly return the ſame to the Burgeſſes.

preſent The Governor

Ordered

That the Clerk of the General Aſſembly carry the following meſſage from the Govr to the Houſe of Burgeſſes

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

Your Addreſs preſented . . . . . [See J. of H. of B., p. 39.]

And then the Council Adjourned till Tomorrow morning ten aclock.

Friday November the 28th 1712

preſent

THE ſame as Yeſterday

A meſſage from the Houſe of Burgeſſes to the Council by Mr *John Robinſon* and others who brought a Reſolve for appropriating the Sum of nine hundred pounds for finiſhing the Governor's houſe, and alſo A bill Entituled *An Act Laying a publick Levy* to which they deſire the Councils concurrence.

And the ſaid Reſolve being read was agreed to, and is as follows

Reſolved and accordingly Ordered

That for payment of the Debt due upon the Governors houſe, more than the money already appropriated will pay, and for finiſhing the ſaid Houſe and the appurtenances to it belonging The ſum of nine hundred pounds be appropriated out of the Fund that

ſhall

ſhall ariſe from the Act made this Seſſion of Aſſembly Entituled *An Act for continuing an Act Entituled* An Act for Laying a duty on Liquors and Slaves *and for appropriating money ſufficient to furniſh nine hundred yards of Duffells and one thouſand pounds for the Service and relief of* North Carolina *out of the ſaid duty, and for appointing a Treaſurer* And that the ſaid nine hundred pounds be paid by the Treaſurer of the ſaid continued impoſitions for the time being upon Warrant of the Lievtenant Governor or the Governor or Commander in Chief of this Colony for the time being, next after the moneys which now are or hereafter ſhall during this Seſſion be ordered to be paid out of the ſaid Fund.

A bill Entituled *An Act for raiſing a publick Levy* Read the firſt time and Ordered a ſecond Reading

Then the Council Adjourned for an hour

AND being mett

A bill Entituled *An Act for raiſing a publick Levy* Read the ſecond time and Ordered a third Reading

Then the Council Adjourned for an hour

AND being mett

A bill Entituled *An Act for raiſing a publick Levy* Read the third time *Reſolved*

That the Bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill, together with the Reſolve before mentioned to the Houſe of Burgeſſes, and acquaint them that the ſaid bill is paſſed without amendment, and that the Council have agreed to the ſaid Reſolve.

Preſent The Governor

A meſſage from the Houſe of Burgeſſes to the Council by Mr *John Robinſon* and others who brought a Reſolve, which being read was agreed to by the Council, and is as follows

Reſolved and accordingly Ordered

That the ſeveral perſons to whom money allowances are made in the book of Claims be paid their reſpective allowances out of the moneys that ſhall ariſe from the Acts laying impoſitions upon Liquors and Slaves, next after the money firſt appropriated for the Governor's houſe, and the money appropriated for *Bruton* pariſh Church, and for the priſon ſhall be paid, and that the ſaid payments be made in order following (To witt) the Allowances made to the Officers of the laſt Seſſion of Aſſembly in the firſt place. The allowances made to the Officers of this Seſſion of Aſſembly in the next place, And then the reſt of the allowances in the order they ſtand in the ſaid Book of Claims.

Then the Governor ſigned his Aſſent to the ſaid Reſolve.

Ordered

That the Clerk of the General Aſſembly carry the following meſſage from the Governor to the Houſe of Burgeſſes.

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

As nothing leſs than the Safety . . . . . [See J. of H. of B., p. 41.]

And then the Council Adjourned till Tomorrow morning ten aclock.

Saturday

Saturday November the 29th 1712

Preſent

AS YESTERDAY

A meſſage from the Burgeſſes to the Council by Mr *Holloway* and others who brought the inrolled bills paſſed this Seſſion

And the ſaid Bills being examined were Ordered to be returned to the Burgeſſes

Preſent The Governor

A meſſage from the Burgeſſes by Mr *Nicholas Merriweather* and others who brought the following Addreſs to the Governor

*To the hon*ble Alexander Spotſwood *her Majeſtys Lievtenant Governor of* Virginia

May it pleaſe Your Honour

We her Majeſtys moſt dutifull . . . . . [See J. of H. of B., pp. 41-42.]

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Governor commands their imediate attendance in the Council chamber and that they bring with them ſuch bills as are ready for his Aſſent.

The Burgeſſes attending. Mr *Speaker* addreſſed himſelf to the Governor to this effect

In obedience to Your Honrs commands her Majeſtys Loyal and dutifull Subjects the Burgeſſes do now attend your Honr with the bills agreed on this Seſſion to receive Your aſſent.

Then the titles of the bills being read, the ſame were ſigned by the Governor and the Speaker and are as follow

[For the ſeven Acts enumerated, ſee J. of H. of B., p. 42, lines 34-39, tranſpoſing the third and fourth items.]

After which the Governor was pleaſed to ſay to this effect

Gentlemen

The end of your Meeting being now accompliſhed, I cannot but expreſs my Satisfaction with the General proceedings of this Seſſion, and ſince I percieve by your Addreſs preſented to me this day that you are impatient to be at your Homes. I ſhall not at preſent inſiſt on my meſſage of Yeſterday nor detain you any longer in this cold Seaſon; Wherefore I have thought fitt to prorogue this Generall Aſſembly to the ſeventh day of *May* next, and do not intend to give you the trouble of meeting then, unleſs ſome extraordinary Occaſion of the Indians or otherwiſe ſhall require it.

Copia

Wil Robertſon Cl Genl Aſſembly

555 556

AT A

GENERAL ASSEMBLY

begun at Her Majeſtys Royal Capitol the 22d day of *October* 1712, and thence continued by ſeveral prorogations and there held the fifth day of *November* 1713, in the Twelfth Year of Her Majeſtys Reign.

[From the Public Record Office, *London*, Colonial Office, Clafs 5, Vol. 1406.]

At a General Aſſembly begun at Her Majeſtys Royal Capitol the 22d day of *October* 1712, and thence continued by ſeveral prorogations and there held the fifth day of *November* 1713, in the Twelfth Year of Her Majeſtys Reign.

[*November* the 5th, 1713.]

Preſent

JAMES BLAIR, John Smith, John Lewis, William Byrd, William Fitzhugh, William Cocke Eſqrs

The Council mett and

Adjourn'd till Tomorrow morning ten aclock.

Friday November the 6th 1713.

preſent

THE Honble the Lievtenant Governor, *James Blair, John Smith, John Lewis, William Byrd, William Fitzhugh & William Cocke* Eſqrs

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Governor commands their immediate attendance on him in the Council chamber.

The Houſe attending accordingly

The Governor was pleaſed to make the following Speech

Gentlemen of the Council and Houſe of Burgeſſes

Peace ever comes . . . . . [See J. of H. of B., 1712-1726, pp. 47-48.]

And then the Burgeſſes withdrew.

A meſſage from the Burgeſſes to the Governor by Mr *Armiſtead* and others deſiring that a New Writt may iſſue for Election of a Burgeſs to ſerve in this Aſſembly for the County of *Warwick* in the room of Mr *William Cary* deceaſed, And alſo a Writt for electing a Burgeſs for *Eſſex* County in the room of Mr *Francis Merriwether* deceas'd

And then the Council Adjourned till Tomorrow morning ten aclock

---

Saturday November the 7th 1713

preſent

THE Governor, *James Blair, John Smith, John Lewis, William Byrd, William Fitzhugh, William Cocke* Eſqrs

A meſſage from the Burgeſſes to the Council by Mr *Holloway* and others That the Houſe had reſolved to addreſs her Majeſty upon the Peace, and deſire the Council to concurr with them therein; And if their Honours agree thereto, that they will appoint ſuch of their Members as they think fitt to joine with the Burgeſſes in preparing the ſaid Addreſs.

Reſolved

That the Council do agree to joine with the Burgeſſes in an Addreſs to congratulate her Majeſty on the Peace, and that *William Byrd* and *William Cocke* Eſqrs be appointed

a

a Committee to meet the Burgeſſes in preparing the ſaid Addreſs on *Munday* next at three aclock in the Afternoon.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes, and acquaint them that the Council have agreed to joine with their Houſe in addreſſing her Majeſty on the Peace, and that they have accordingly appointed two of their Members to meet ſuch of their Houſe as they ſhall appoint for preparing the ſaid Addreſs on *Munday* next, at three aclock in the Afternoon.

The petition of *Philip Jones* and *Margarett Jones* praying an Allowance of Fourty pounds for killing two *Tuſcaruro* Indians Was read and

Referred to the conſideration of the Houſe of Burgeſſes.

And then the Council Adjourned till *Munday* morning ten aclock.

Munday November ye 19th [9th] 1713

preſent

JAMES BLAIR, *Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh* and *William Cocke* Eſqrs

The Council mett and

Adjourned till Tomorrow morning ten aclock

Tueſday November the 10th 1713

Preſent

THE Governor, *James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh & William Cocke* Eſqrs

The petition of *James Adams* Interpreter to the *Pamunkey & Chickahominy* Indians praying allowance for his ſaid Service, and

The petition of *Chriſtopher Smith* Lievtenant of the Rangers for *King William* County praying his uſual Allowance for the ſaid Service

Were ſeverally Read and Referred to the conſideration of the Houſe of Burgeſſes

And then the Council Adjourned till Tomorrow morning ten aclock

---

Wedneſday November the 11th 1713

Preſent

AS YESTERDAY

The petition of *Henry Briggs* Interpreter to the Southern Indians, praying his uſual Sallary and allowance for extraordinary Services.

The petition of *William Cocke* Eſqr Secretary of this Colony praying Allowance for three Writts iſſued for election of Burgeſſes, and

The petition of *Chichely Corbin Thacker* praying his uſual Allowance as Clerk of the Secretary's Office Were ſeverally Read and

Referred to the conſideration of the Houſe of Burgeſſes.

A meſſage from the Burgeſſes to the Council by Mr *Holloway* and others who brought an Addreſs to her Majeſty prepared by the Conferees of the Council and Burgeſſes, and acquainted the Council that the Burgeſſes have read and approved the Draught of the ſaid Addreſs, and deſire the Council's concurrence thereto.

Then the ſaid Addreſs was read, and an Amendment being made thereto

Ordered

That the Clerk of the General Aſſembly carry the ſaid Addreſs to the Houſe of Burgeſſes and acquaint them that the Council have agreed to the ſame with an Amendment, to which they deſire the concurrence of that Houſe.

A

A meſſage to the Council by Mr *Holloway* and others That the Houſe had agreed to the Amendments propoſed to the Addreſs to her Majeſty, And that the Houſe had reſolved that the ſame be Signed by every Member of the Houſe, and deſire to know in what manner the Council will ſign the ſame.

Reſolved

That the ſaid Addreſs be ſigned by every Member of the Council.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them That the Council have agreed that the Addreſs to her Majeſty be ſigned by all their Members, and deſire the Houſe to ſend up the ſaid Addreſs when fairly tranſcribed, in order to their ſigning it as aforeſaid.

And then the Council Adjourned till Tomorrow morning ten aclock

---

Thurſday November the 12th 1713

Preſent

AS YESTERDAY
The Council mett and
Adjourned till Tomorrow morning ten aclock.

Friday November the 13th 1713

Preſent

THE Governor, *James Blair, Henry Duke, John Smith, William Byrd, William Fitzhugh & William Cocke* Eſqrs

A meſſage from the Burgeſſes to the Council by Mr *Holloway* and others who brought a fair Tranſcript of the Addreſs agreed on by the Council and Burgeſſes to her Majeſty for the Council's Signing.

Then the ſaid Addreſs to her Majeſty was ſigned by all the Council, and is as follows.

To the Queen's Moſt Excellt Majeſty.

The humble Addreſs of the Council & Burgeſſes of Virginia

May it pleaſe Your Majeſty

We Your Majeſty's moſt dutifull and loyal . . . . . [See J. of H. of B., pp. 52-53.]

A meſſage to the Governor by Mr *Eskridge* and others That the Houſe had prepared an Addreſs to his Honr and deſire to know when they ſhall attend his Honr to preſent their ſaid Addreſs.

Whereupon the Governor was pleaſed to appoint Tomorrow at eleven aclock in the forenoon in the Council Chamber for receiving the ſaid Addreſs.

A Meſſage from the Burgeſſes to the Council by Mr *William Robinſon* and others who brought a bill Entituled *An Act for dividing* St Marys *pariſh*, And the ſaid Bill was read the firſt time and

Ordered a ſecond Reading

And then the Council Adjourned till Tomorrow morning ten aclock

---

Saturday November the 14th 1713

Preſent

THE Governor, *James Blair, Henry Duke, John Smith, William Byrd* and *William Fitzhugh* Eſqrs

The Houſe of Burgeſſes (according to the Governors appointment) attending in the Council Chamber preſented an Addreſs to his Honr in the following Words

To

To the Honble Alexander Spotſwood *Her Majeſties Lieutenant Governor of* Virginia
The humble Addreſs of the Houſe of Burgeſſes.

May it pleaſe Your Honour.

We her Majeſtys moſt dutifull . . . . . [See J. of H. of B., pp. 54-55.]

To which the Governor was pleaſed to make Anſwer as follows.

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes.*

I heartily thank you . . . . . [See J. of H. of B., p. 55.]

William Cocke Eſq^r Preſent

A bill Entituled *An Act for dividing* St Marys *pariſh* read the ſecond time and committed for amendments.

A meſſage from the Burgeſſes to the Council by Mr *Waller* and others who brought a Bill Entituled *An Act for reviving and continuing An Act Entituled* An Act for prohibiting Seamen being harboured or entertained on ſhore, And alſo a Bill Entituled *An Act to continue An Act Entituled* An Act for ſupply of certain Defects found in *Act preſcribing the method for appointing Sherifs*, to which they deſire the Councils concurrence.

And the ſaid Bills were read the firſt time and

Ordered a ſecond Reading

And then the Council Adjourned till *Munday* morning ten aclock

---

Munday November 16th 1713

Preſent

JAMES BLAIR, Henry Duke, John Smith, William Fitzhugh & William Cocke Eſq^re

Mr Commiſſary *Blair* and Mr Secretary *Cocke*, are appointed in Conjunction with ſuch a Number of Burgeſſes as ſhall be directed by that Houſe to wait on the Governor with the Addreſs to her Majeſty, and to requeſt his favour in tranſmitting thereof to her Majeſty's hands.

William Byrd Eſq^r Preſent

A bill Entituled *An Act for reviving and continuing An Act Entituled* An Act prohibiting Seamen being harboured or entertained on ſhore read the ſecond time and Committed for Amendments

A bill Entituled *An Act to continue An Act Entituled* An Act for Supply of certain Defects found in *An Act prefcribing the method for appointing Sherifs*—Read the ſecond time and

Ordered a third Reading

And then the Council Adjourned till Tomorrow morning ten aclock.

Tueſday November the 17th 1713.

Preſent

AS YESTERDAY

A meſſage to the Council by Mr *Waller* and others who brought a Bill Entituled *An Act for the regulation and ſettlement of Ferrys and for diſpatch of publick Expreſſes*, to which they deſire the Councils concurrence.

And the ſaid Bill was Read the firſt time and

Ordered a ſecond Reading

A bill Entituled *An Act to continue An Act Entituled* An Act for Supply of certain defects found in *An Act preſcribing the method for appointing Sherifs*, Read the third time

Reſolved

That the bill do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſ^d Bill to the Burgeſſes, and acquaint them that the Council have paſſed the ſame without any Amendment.

And then the Council Adjourned till Tomorrow morning ten aclock.

Wedneſday

Wednesday November the 18th 1713

Present

JAMES BLAIR, *Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh & William Cocke* Esqrs

A Bill Entituled *An Act for continuing An Act Entituled* An Act for the regulation and Settlement of Ferrys, and for dispatch of publick Expresses, Read the second time and

Committed for amendments.

And then the Council Adjourned till Tomorrow morning ten aclock.

Thursday November the 19th 1713

Present

THE Governor, *Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Fitzhugh, William Cocke* Esqrs

A bill Entituled *An Act for reviving and continuing An Act Entituled* An Act prohibiting Seamen being harboured or entertained on shore Read the third time with the Amendments

Resolved

That the Bill with the Amendments do pass

A bill Entituled *An Act for continuing An Act Entituled* An Act for the Regulation and Settlement of Ferrys, and for dispatch of publick Expresses, Read the third time with the Amendments.

Resolved

That the Bill with the Amendments do pass.

Ordered

That the Clerk of the General Assembly carry the said two bills to the House of Burgesses, and acquaint them that the Council have passed the same with several Amendments, to which they desire the concurrence of that House.

A Message to the Council by Mr *Waller* and others that the Burgesses had agreed to the Amendments proposed by the Council to the Bill Entituled *An Act for reviving and continuing* An Act prohibiting Seamen being harboured or entertained on shore; And to the Bill Entituled *An Act for continuing An Act Entituled* An Act for the Regulation and Settlement of Ferrys, and for dispatch of publick Expresses, and had inserted them therein.

And then the Council Adjourned till Tomorrow morning ten aclock.

Friday November the 20th 1713.

prefent

AS YESTERDAY

The Council mett and Adjourned till Tomorrow Morning ten aclock.

Saturday November the 21st 1713.

Present

ROBERT CARTER, *James Blair, Henry Duke, John Smith, John Lewis, William Byrd* and *William Cocke* Esqrs

A Message from the Burgesses to the Council by Mr *Holloway* and others, who brought a Bill Entituled *An Act to restrain the keeping too great a number of Horses and Mares* to which they desire the Council's concurrence. And the said Bill was Read the first time and

Ordered a Second Reading

And then the Council Adjourned till *Munday* morning ten aclock.

Munday

Munday November the 23d 1713

Prefent

ROBERT CARTER, *James Blair, Henry Duke, John Smith, William Byrd, William Cocke* Eſqrs

The Council mett and Adjourned till Tomorrow Morning ten aclock

---

Tueſday November 24th 1713.

prefent

AS YESTERDAY

A Meſſage from the Burgeſſes to the Council by Mr *Waller* and others who brought a Bill Entituled *An Act to enable* William Smith *Gent to ſell and diſpoſe of certain entailed Lands and Tenements lying in the County of* New Kent, *on ſettling other Lands and tenements lying in* King William *County, of which he is ſeized in fee to the ſame uſes.* to which they deſire the Councils concurrence.

And the ſaid Bill was read the firſt time, and

Ordered a Second Reading

And then the Council Adjourned till Tomorrow morning ten aclock.

Wedneſday November the 25th 1713.

Preſent

THE Governor, *Robert Carter, James Blair, Henry Duke, John Smith, William Byrd, William Cocke* Eſqrs

A bill Entituled *An Act to reſtrain the keeping too great a number of horſes and Mares* Read the ſecond time, and

Committed for amendments

A bill Entituled *An Act to enable* William Smith *Gent to ſell and diſpoſe of certain Entailed Lands and Tenements lying in the County of* New Kent, *on ſettling other Lands and tenements lying in* King William *County, of which he is ſeized in fee to the ſame uſes,* Read the ſecond time, and

Committed for Amendments.

And then the Council Adjourned till Tomorrow morning ten aclock

---

Thurſday November the 26th 1713

Preſent

ROBERT CARTER, *James Blair, Henry Duke, John Smith, John Lewis, William Byrd & William Cocke* Eſqrs

A bill Entituled *An Act to enable* William Smith *Gent to ſell and diſpoſe of certain entailed Lands and tenements lying in the County of New Kent, on ſettling other Lands and tenements lying in* King William *County, of which he is ſeized in fee, to the ſame uſes* Read the third time with the amendments

Reſolved

That the bill with the amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Houſe of Burgeſſes and acquaint them that the Council have paſſed the ſame with ſome Amendments, to which they deſire the concurrence of that Houſe.

And then the Council Adjourned till Tomorrow morning ten aclock

Friday

Friday November the 27th 1713

Prefent

AS BEFORE

A Meſſage from the Burgeſſes to the Council by Mr *Holloway* and others who brought a bill Entituled *An Act for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco*, to which they deſire the Council's concurrence.

A bill Entituled *An Act to reſtrain the keeping too great a number of horſes and Mares* read the third time with the Amendments

Reſolved

That the bill with the Amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes and acquaint them that the Council have paſſed the ſame with ſeveral Amendments, to which they deſire the concurrence of that Houſe.

A bill Entituled *An Act for preventing Frauds in tobacco payments, and for the better improving the Staple of Tobacco*, Read the firſt time, and

Ordered to be read a ſecond time on *Munday* next

And then the Council Adjourned till Tomorrow morning ten aclock

---

Saturday November the 28th 1713

preſent

AS YESTERDAY

The Council mett and

Adjourned till *Munday* morning ten aclock

Munday November the 30th 1713

Preſent

THE Governor, *Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd* Eſqrs

A bill Entituled *An Act for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco*, Read the ſecond time, And The Council having ſpent ſome time in the Conſideration thereof

Ordered

That the further conſideration of the ſaid Bill be referred till Tomorrow morning.

A Meſſage from the Burgeſſes to the Council by Mr *Holloway* and others That the Burgeſſes have agreed to the Amendments propoſed by the Council to the Bill Entituled *An Act to enable* William Smith *Gent to ſell and diſpoſe of certain entailed Lands and tenements lying in the County of* New Kent, *on ſettling other Lands and tenements lying in* King William *County of which he is ſeized in fee to the ſame uſes*, and have inſerted them therein; That they have alſo agreed to ſome of the Amendments propoſed by the Council to the Bill Entituled *An Act to reſtrain the keeping too great a number of horſes, and Mares;* to others have diſagreed, and that they have propoſed an Amendment of their own, and deſire that the Council will not inſiſt on ſuch of their Amendments, to which that Houſe have diſagreed, and that they will paſs the Bill according to the Amendments agreed unto by that Houſe.

A Meſſage to the Governor by Mr *Holloway* and others That the Houſe of Burgeſſes had delayed the conſideration of that part of his Honrs Speech relating to the Frontiers in expectation of the Arrival of the *Tuſcaruro* Indians; but finding they are not yet come in, and the Houſe having little buſineſs before them They deſire to know his Honrs pleaſure, how they ſhall proceed.

To which the Governor was pleaſed to ſay That he would ſend the Houſe an Anſwer

And then the Council Adjourned till Tomorrow morning ten aclock

Tueſday

Tueſday December the 1ſt 1713.

Preſent

AS YESTERDAY.

Ordered

That the Clerk of the General Aſſembly carry the following Meſſage from the Governor to the Houſe of Burgeſſes.

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes.*

At the opening of this Seſſion . . . . . [See J. of H. of B., pp. 63-64.]

A bill Entituled *An Act for dividing* St Mary's *pariſh.* Read the third time with the Amendments

Reſolved

That the Bill with the Amendments do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes, and acquaint them that the Council have paſſed the ſame with ſeveral Amendmts to which they deſire the concurrence of that Houſe.

And then the Council Adjourned till tomorrow morning ten aclock

---

Wedneſday December the 2d 1713.

Preſent

THE Governor, *Robert Carter, James Blair, Henry Duke, John Smith, John Lewis, William Byrd, William Cocke* Eſqrs

A meſſage from the Burgeſſes to the Council by Mr *Holloway* and others, who brought a Bill Entituled *An Act to impower* John Holloway *and* John Clayton *Gent to recieve of the Truſtees for the City of* Williamſburgh *and of all other perſons whatſoever all moneys by them received for Lotts of Land, and otherwiſe for the benefite of the ſaid City, and the Sum of two hundred and one pounds nine ſhillings and nine pence of* Robert Carter *Eſquire, and to apply ſuch moneys to certain uſes,* to which they deſire the Councils concurrence.

And the ſaid Bill was read the firſt time, and

Ordered a ſecond Reading.

Ordered

That the Clerk of the General Aſſembly carry the following Meſſage from the Governor to the Houſe of Burgeſſes.

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes.*

I am commanded . . . . . [See J. of H. of B., pp. 64-65.]

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Council having under conſideration the Bill ſent up from that Houſe for preventing frauds in Tobacco payments, and for the better improving the Staple of Tobacco, and finding therein ſome Clauſes, of the meaning of which they are deſirous to be more clearly ſatisfyed, and that there are other parts of the bill to which they intend to propoſe ſome Amendments, Therefore in order to the well finiſhing a Bill of ſo great a benefite to the Country, The Council deſire a free Conference with that Houſe upon the Subject matter of the ſaid Bill

A Meſſage from the Burgeſſes to the Council by Mr *Holloway* and others That the Burgeſſes have agreed to the free Conference deſired by their Honrs on the Subject matter of the Bill for preventing Frauds in tobacco payments, and for the better improving the Staple of Tobacco.

Reſolved

That *Robert Carter* Eſqr Mr Commiſſary *Blair* and *William Byrd* Eſqrs be appointed Managers for the Council, to meet ſuch a number of the Burgeſſes as they ſhall appoint to manage the ſaid Conference on the part of that Houſe.

Ordered

Ordered.

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Council have appointed three of their Members, who will be ready in the Conference room Tomorrow at twelve aclock to meet ſuch a number of the Burgeſſes as that Houſe ſhall think fitt to manage the ſaid Conference on their behalf

And then the Council Adjourned till Tomorrow morning ten aclock.

Thurſday December the 3d 1713

Preſent

AS YESTERDAY

The Council being informed that the Managers for the Burgeſſes were come to the Conference room, The Managers for the Council went to the Conference

And then the Council Adjourned till Tomorrow morning ten aclock.

Friday December the 4th 1713

Preſent

ROBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Byrd & William Cocke Eſqrs

A Meſſage to the Council by Mr *Eskridge* and others who brought the book of publick Claims paſſed their Houſe, to which they deſire the Council's concurrence.

A Meſſage from the Burgeſſes to the Council by Mr *William Robinſon* and others who brought a Bill Entituled *An Act for dividing* St Marys *pariſh*, and acquainted the Council that the Burgeſſes have agreed to the Amendments propoſed by their Honrs to the ſaid Bill, and had inſerted them therein.

The Council having conſidered the Amendments propoſed by the Burgeſſes to the Bill Entituled *An Act to reſtrain the keeping too great a number of Horſes and Mares*, agreed to ſome of the Amendments propoſed by the Burgeſſes and to others diſagreed, and reſolved to inſiſt on ſome of their Amendments, and to propoſe a New Amendment to the ſaid Bill

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes and acquaint them therewith.

A Meſſage from the Burgeſſes to the Council by Mr *Holloway* and others, acquainting the Council that upon conſideration of the Report of the free Conference upon the Bill for preventing Frauds in tobacco payments and for the better improving the Staple of tobacco The Houſe had agreed to ſeveral of the Amendments propoſed by their Honrs, to others had diſagreed and had alſo propoſed an Amendment of their own, and that they give Leave that the Amendments, as they are agreed on, be inſerted in the Bill. Mr *Holloway* alſo preſented a Bill Entituled *An Act for continuing* an Act for appointing Rangers, *and* An Act to continue *An Act for appointing Rangers, and for increaſing their pay, and alſo to impower the Lieutenant Governor to diſband the Rangers, and to apply the pay appropriated for them to any other uſe he ſhall think fitt for the better Security of the Frontiers* and deſired the Councils concurrence thereto.

And then the Council Adjourned till Tomorrow morning ten aclock.

Saturday

Saturday December the 5th 1713.

Preſent

AS YESTERDAY

A Bill Entituled *An Act for continuing* An Act for appointing Rangers *and* An Act to continue *An Act for appointing Rangers and for increaſing their pay, and alſo to impower the Lieutenant Governor to diſband the Rangers, and to apply the pay appropriated for them to any other uſe he ſhall think fitt for the better Security of the Frontiers* Read the firſt time, and

Ordered a ſecond Reading

A meſſage from the Burgeſſes to the Council by Mr *Eskridge* and others who brought the Bill to reſtrain the keeping too great a number of horſes and Mares, and acquainted the Council that the Houſe had agreed to the Amendments propoſed thereto, and had inſerted them in the ſaid Bill.

The Council took into conſideration the Amendments to the Bill for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco, And thereupon

Reſolved

That the Council do recede from ſuch of the ſd Amendments as are diſagreed unto by the Burgeſſes, and that they will agree to the Amendments propoſed by that Houſe, and

Ordered

That the Amendments be inſerted in the ſaid Bill, and that it be read a third time on *Munday* next.

And then the Council Adjourned till *Munday* morning ten aclock.

Munday December the 7th 1713

Preſent

THE Governor, *Robert Carter*, *James Blair*, *Henry Duke*, *John Smith*, *John Lewis*, *William Byrd* Eſqrs

A bill Entituled *An Act for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco* Read the third time with the Amendments

Reſolved

That the Bill with the Amendments do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes, and acquaint them that the Council have paſſed the ſame as amended.

A Meſſage from the Burgeſſes to the Council by Mr *Holloway* and others who brought a Bill Entituled *An Act for Regiſtring Births Chriſtnings and Burials*, to which they deſire the Councils concurrence

The Book of publick Claims being Read, and ſome Amendments made thereto by the Council

Ordered

That the Clerk of the General Aſſembly carry the ſaid Book to the Houſe of Burgeſſes, and acquaint them that the Council have made ſome Amendments thereto, to which they deſire the concurrence of that houſe.

A bill Entituled *An Act for regiſtring Births Chriſtnings and Burials* read the firſt time and

Ordered a ſecond Reading

A

A bill Entituled *An Act for continuing An Act Entituled* An Act for appointing Rangers, *and* An Act to continue *An Act for appointing Rangers, and for increasing their pay, and also to impower the Lieutenant Governor to disband the Rangers, and to apply the pay appropriated for them to any other use, he shall think fitt for the better Security of the Frontiers* Read a second time & Ordered a third Reading

And then the Council Adjourned till Tomorrow morning ten aclock

---

Tuesday December the 8th 1713

Present

AS YESTERDAY

Ordered

That the Clerk of the General Assembly carry the following Message from the Governor to the House of Burgesses

Mr Speaker *and Gentlemen of the House of Burgesses*

I have now Ordered . . . . . [See J. of H. of B., p. 69.]

A bill Entituled *An Act for continuing* An Act for appointing Rangers *and* an Act to continue *An Act for appointing Rangers and for increasing their pay, and also to impower the Lieutenant Governor to disband the Rangers and to apply the pay appropriated for them to any other use, he shall think fitt for the better Security of the Frontiers,* Read the third time

Resolved

That the bill do pass

Ordered

That the Clerk of the General Assembly carry the said Bill to the Burgesses, and acquaint them that the Council have passed the same without any Amendment

A bill Entituled *An Act for Registring Births, Christinings and Burials* Read the second time and

Committed for Amendments

William Cocke Esqr Present

A Message from the Burgesses to the Council by Mr *Holloway* and others who brought a Bill Entituled *An Act declaring what shall be accounted a sufficient Seating and planting of Lands already granted or hereafter to be taken up and patented,* to which they desire the Council's concurrence.

A Message from the Burgesses to the Council by Mr *Eskridge* and others who brought the Book of Claims, and acquainted the Council that the House have agreed to the Allowances proposed by their Honrs to be made in the said Book of Claims, and that the same are entered in the sd Book

And the same being examined

Ordered

That the Clerk of the General Assembly carry the said book to the Burgesses and acquaint them that the Council are satisfyed the said Allowances are truly inserted, and that they have passed the same accordingly.

And then the Council Adjourned till Tomorrow morning ten aclock.

Wednesday December the 9th 1713

Present

ROBERT CARTER, *James Blair, Henry Duke, John Smith, John Lewis* Esqrs

A bill Entituled *An Act declaring what shall be accounted a Sufficient Seating and planting of Lands already granted, or hereafter to be taken up and patented* Read the first time and

Ordered a second Reading

A bill Entituled *An Act for regiſtring Births Chriſtnings and Burials* Read the third time with the Amendments

Reſolved

That the bill with the Amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes and acquaint them that the Council have made ſome Amendments thereto, to which they deſire the concurrence of that Houſe.

A bill Entituled *An Act to impower* John Holloway *and* John Clayton *Gent to receive of the Truſtees for the City of* Williamſburgh, *and of all other perſons whatſoever, all moneys by them recieved for Lotts of Land and otherwiſe for the benefite of the ſaid City, and the Sum of two hundred and one pounds nine ſhillings and nine pence of* Robert Carter *Eſq^r and to apply ſuch Moneys to certain uſes*, Read the ſecond time, and

Committed for Amendments.

And then the Council Adjourned till Tomorrow morning ten aclock.

Thurſday December the 10th 1713

Preſent

ROBERT CARTER, James Blair, Henry Duke, John Smith, John Lewis, William Cocke Eſq^rs

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Holloway* and others That the Houſe had prepared a Clauſe to be added to the Bill to impower *John Holloway* and *John Clayton* Gent to recieve of the Truſtees for the City of *Williamſburgh*, and of all other perſons whatſoever all moneys by them recieved for Lotts of Land, and otherwiſe for the benefite of the ſaid City, and the Sum of two hundred and one pounds nine ſhillings and nine pence of *Robert Carter* Eſquire, and to apply ſuch moneys to certain uſes, to which they deſire the Council's concurrence; and that if their Hon^rs do agree thereto, the ſame may be added as an Amendment to the Bill, and the Title made conformable thereto.

A meſſage from the Houſe of Burgeſſes to the Council by Mr *Soane* and others, who brought the Book of Proportions of the publick Levy, to which they deſire the Council's concurrence.

And the ſaid Book being read, Was agreed unto by the Council, and

Ordered

That the Clerk of the General Aſſembly wait on the Governor for his Aſſent thereto, and then return the ſame to the Houſe of Burgeſſes.

Then the Clauſe propoſed by the Burgeſſes to be added to the Bill Entituled *An Act to impower* John Holloway *and* John Clayton *Gent to recieve of the Truſtees for the City of* Williamſburgh, *and of all other perſons whatſoever all moneys by them recieved for Lotts of Land and otherwiſe for the benefite of the ſaid City, and the Sum of two hundred and one pounds nine ſhillings and nine pence of* Robert Carter *Eſquire, and to apply ſuch moneys to certain uſes* being read, and agreed to and other Amendments made by the Council, The ſ^d Bill was read a third time

Reſolved

That the bill do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid bill to the Burgeſſes and acquaint them that the Council have agreed to the Clauſe propoſed by the Burgeſſes to be added thereto, and have made ſome Amendments of their own to the ſaid Bill, to which they deſire the concurrence of that Houſe.

A

A bill Entituled *An Act declaring what ſhall be accounted a ſufficient Seating and planting of Lands already granted or hereafter to be taken up and patented* Read the ſecond time, and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning ten aclock

---

Friday December the 11th 1713

Preſent

ROBERT CARTER, James Blair, John Smith, John Lewis Eſqrs

A Meſſage to the Council by Mr *Eskridge* and others who brought a Bill Entituled *An Act for raiſing a publick Levy*, and alſo a Reſolve of the Houſe concerning money payments, to which they deſire the Council's concurrence.

And the ſaid Reſolve being read was agreed to, and is as follows

Reſolved, and accordingly Ordered

That the ſeveral perſons to whom Money Allowances are made in the book of Claims, be paid their reſpective Allowances out of the moneys that ſhall ariſe out of the Acts laying Impoſitions upon Liquors and Slaves, next after the money appropriated this Seſſion for finiſhing the Governor's houſe ſhall be paid, And that the ſaid payments be made in the order they ſtand in the ſaid Book of Claims,

Ordered

That the Clerk of the General Aſſembly return the ſaid Reſolve to the Burgeſſes, and acquaint them that the Council have agreed thereto.

A bill Entituled *An Act declaring what ſhall be accounted a ſufficient Seating and planting of Lands already granted or hereafter to be taken up and patented.* Read the third time with the Amendments.

Reſolved

That the bill with the Amendments do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes, and acquaint them that the Council agree to the ſame, with ſeveral Amendments, to which they deſire the Concurrence of that Houſe.

A bill Entituled *An Act for raiſing a publick Levy* Read the firſt time, and

Ordered a ſecond Reading

Then the Council Adjourned for an hour

AND being mett again

A bill Entituled *An Act for raiſing a publick Levy* Read the ſecond time & *Ordered* a third Reading

Then the Council Adjourned for an hour

AND being mett again

A bill Entituled *An Act for raiſing a publick Levy* Read the third time

Reſolved

That the Bill do paſs.

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes and acquaint them that the Council have paſſed the ſame without any Amendmt

A Meſſage from the Burgeſſes to the Council by Mr *Holloway* and others, That the Houſe had agreed to the Amendments propoſed by their Honrs to the Bill Entituled *An Act to impower* John Holloway *and* John Clayton *Gent to recieve of the Truſtees for the City of* Williamſburgh *and of all other perſons whatſoever all moneys by them recieved for Lotts of Land and otherwiſe for the benefite of the ſaid City And the Sum of Two hundred and*

and one pounds Nine ſhillings and nine pence, of Robert Carter *Eſquire, and to apply ſuch moneys to certain uſes:* Alſo to the Amendments propoſed by their Hon^rs to the Bill Entituled *An Act for regiſtring Births Chriſtnings and Burials:* And alſo to the Amendments propoſed by their Hon^rs to the Bill Entituled *An Act declaring what ſhall be accounted a ſufficient Seating and planting of Lands already granted or hereafter to be taken up and patented*, and had interteri them in the ſaid Bill

And then the Council Adjourned till Tomorrow morning ten aclock.

Saturday December the 12th 1713

Preſent

THE Governor, *Robert Carter, James Blair, John Smith, John Lewis & William Cocke* Eſq^rs

A Meſſage from the Houſe of Burgeſſes to the Council by Mr *Littlebury Epes* and others, who brought the inrolled Bills paſſed this Seſſion, for the Council's peruſal.

And the ſaid Bills being examined

Ordered

That the Clerk of the General Aſſembly carry the ſame to the Houſe of Burgeſſes, and acquaint them that the Council have peruſed the ſame, and are ſatisfyed they are truly inrolled.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes, and command their immediate Attendance on the Governor in the Council Chamber, and that they bring with them ſuch bills as are ready for his Aſſent.

The Houſe of Burgeſſes attending accordingly

The Governor was pleaſed to give his Aſſent to the following Bills, *Viz*

[For the 12 enumerated Acts, ſee J. of H. of B., p. 73.]

Then the Governor made the following Speech

Gentlemen of the Council and Houſe of Burgeſſes,

Such has been the concurrence and good Agreement between us during this Seſſion: Such has been your zeal to prevent Frauds and better the publick Credit in time to come. Such apparently juſt meaſures have you fallen into, to revive your Trade, and ſuch Teſtimonys have you given me of the Confidence You place in my honeſty and Conduct, that I am now come with great Satisfaction and thankfullneſs to conclude this Seſſion, and earneſtly to recommend to you all to put a helping hand to the new Method the Country is now entering upon.

'Tis the univerſal Clamour of both the Planters and Merchants that your Tobacco Trade upon the preſent Foot can no longer be borne, and you, *Gentlemen*, have unanimouſly (I think) declared that it is high time to apply ſome Remedy, and have moſt generally agreed to theſe ways and means which We have now Enacted; I therefore promiſe myſelf that you will all endeavour to make people in your reſpective Countys truly ſenſible, what they gain by this new and extraordinary Law.

Your Love to your Country cannot be more conſpicuouſly ſhewn, than by laying hold of Occaſions to relieve it in its Diſtreſs, and thoſe I muſt judge to have the beſt Title to the favours I am impowered to diſpenſe, who can diſcern the true intent of their Country, and will boldly and honeſtly labour to promote it

As for my part I can diſcover nothing but benefites accruing to this Colony, by the new Courſe you are going to take with your Tobacco, And if it is likely that you will reap the Advantage, I hope no one will envy me the honour of the Project.

I know, the Seaſon of the year makes you all deſirous of returning home: And therefore I now prorogue this Aſſembly, and it ſtands prorogued to the tenth day of *May* next.

571-572

AT A

GENERAL ASSEMBLY

begun at the Capitol the 22[d] day of *October* 1712 in the Eleventh Year of the Reign of her late Majesty Queen *Anne*, Thence continued by severall prorogations and there held the 16th day of *November* in the first Year of the Reign of our Sovereign Lord *George* by the Grace of God of *Great Britain, France* and *Ireland* King Defender of the Faith &c *Annoq*[3] *Domini* 1714

At a General Aſſembly begun at the Capitol the 22d day of *October* 1712 in the Eleventh Year of the Reign of her late Majeſty Queen *Anne*, Thence continued by ſeverall prorogations and there held the 16th day of *November* in the firſt Year of the Reign of our Sovereign Lord *George* by the Grace of God of *Great Britain*, *France* and *Ireland* King Defender of the Faith &c *Annoq*$_3$ *Domini* 1714

[*November* the 16th, 1714.]

Preſent

JAMES BLAIR, Phillip Ludwell, William Cocke, Robert Porteus Eſqrs

A Commiſſion from the Honble the Lievt Governor directed to *William Cocke Nathaniell Harriſon, Mann Page & Robert Porteus* Eſqrs or any two of them to adminiſter the Oaths appointed by Law to the Burgeſſes and officers of this Aſſembly was preſented and read.

William Robertſon Clerk of the General Aſſembly took the Oaths appointed by Act of Parliament to be taken inſtead of the Oaths of Allegience and Supremacy, The abjuration Oath mentioned in the Act of Parliamt made in the Sixth Year of the Reign of her late Majeſty, Subſcribed the Teſt, and took the Oath for the due Execution of his Office.

And then the Council Adjourn'd till Tomorrow morning ten aclock

---

Wedneſday November the 17th 1714

Preſent

THE Governor, *James Blair, Phillip Ludwell, William Cocke, Nathll Harriſon, Mann Page & Robert Porteus* Eſqrs

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and Acquaint them that the Governor commands their immediate Attendance on him in the Council Chamber.

The Houſe of Burgeſſes accordingly attending the Governor was pleaſed to make the Following ſpeech

Gentlemen of the Council and Houſe of Burgeſſes

We now meet . . . . . [See J. of H. of B., 1712-1726, pp. 79-80.]

Then the Burgeſſes withdrew

The petition of *James Adams* praying his uſual Allowance as Interpreter to the *Pamunkey* and *Chickahominy* Indians Read and Referred to the Conſideration of the Houſe of Burgeſſes

A meſſage to the Governor by Mr *Waller* and others deſiring a new Writt for electing a Burgeſs for *King William* County in the room of Mr *Fox* deceaſed, and another for *Elizath City* in the room of Mr *Nicho Curle* deceaſed.

It is ordered Accordingly

That a new Writt do Iſſue for each of the ſd Countys Reſpectively.

And then the Council Adjourned till Tomorrow morning 10 aclock

Thurſday

Thurſday November the 18th 1714

Preſent

THE Governor, *James Blair, Phillip Ludwell, John Lewis, William Cocke, Nathaniel Harriſon, Man Page, Robert Porteus* Eſqrs

A petition of ſundry Inhabitants of *Glouceſter* County & Others, and A petition of *William Brown* of *Surry* County were preſented and read praying that Liberty may be Given for the Exportation of Cutt Tobacco & of Stemned tobacco without tying it up in bundles.

Ordered

That the ſaid petitions be referred to ye Conſideration of the Houſe of Burgeſſes

The Grievances of Sundry Inhabitants of the County of *Middleſex* Read & Referred to the Conſideration of the Houſe of Burgeſſes.

A meſſage to the Council by Mr *Holloway* and others that the Houſe of Burgeſſes upon conſideration of the Governors ſpeech have unanimouſly Reſolved to addreſs his Majeſty upon his happy Acceſſion to the Throne, and deſire the Council to joyne with them therein, and that they will appoint ſome of their members to joine with the Burgeſſes in preparing the ſaid Addreſs

Reſolved

That the Council will joine with the Houſe of Burgeſſes in an humble Addreſs to his Majeſty to congratulate his happy acceſſion to the Crown

Ordered

That Mr Commiſſary *Blair*, Mr Secretary *Cocke* & *Robert Porteus* Eſqr be appointed a Committee to prepare the ſaid Addreſs in conjunction with ſuch perſons as the Houſe of Burgeſſes ſhall Appoint

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and Acquaint them that the Council have reſolved to joine with that Houſe in Addreſſing his Majeſty, and that they have appointed three of their members to meet ſuch a number of the Burgeſſes as the Houſe ſhall think fitt to appoint tomorrow at ten aclock in the morning in the Conference Room for preparing the ſd Addreſs

And then the Council Adjourned till to morrow morning 10 Aclock.

Friday November the 19th 1714

Preſent

THE Governor, *James Blair, Phillip Ludwell, John Lewis, William Byrd, William Cocke, Nathaniell Harriſon, Mann Page & Robert Porteus* Eſqrs

Several Propoſitions and Grievances from the County of *James City* and A Propoſition from the County of *Charles City*

Were Severally Read and Referred to the Conſideration of the Houſe of Burgeſſes

The ſeverall Propoſitions and Grievances of the Inhabitants of *King* and *Queen* County were read & Referred to the Conſideration of the Houſe of Burgeſſes.

And then the Council Adjurned till to morrow morning 10 aclock.

Saturday November the 20th 1714

Preſent

THE Governor, *James Blair, Phillip Ludwell, John Lewis, William Byrd, Nathaniel Harriſon, Mann Page & Robert Porteus* Eſqrs

The petition of Mr Secretary *Cocke* for his uſual allowance for iſſuing two Writts for electing Burgeſſes to ſerve in this Aſſembly, and

The petition of *Chicheley Corbin Thacker* praying his uſuall Allowance as Clerk of the Secretarys Office may be Levyed for him Were ſeverally read and referred to the Conſideration of the Houſe of Burgs

A

A Meſſage from the Houſe of Burgeſſes to the Councill by Mr *Holloway* & Others that the members appointed by the Council and that houſe had prepared an Addreſs to his Majeſty wch having been reported in that houſe was agreed to and that they were Commanded to Leave the Addreſs with the Council and deſire their Concurrence thereto

The Addreſs to his Majeſty prepared by the Committee of Councell and Burgeſſes was read and Agreed to and is as follows

To the Kings moſt Excellent Majeſty

May it pleaſe Your Majeſty

Since it hath pleaſed . . . . . [See J. of H. of B., pp. 87-88.]

Ordered

That the ſaid Addreſs be fairly tranſcribed and Signed by the Councill

And then the Councill adjourned till *Munday* morning 10 aclock.

Munday November the 22d 1714

Preſent

JAMES BLAIR, Philip Ludwell, John Lewis, William Byrd, Nathl Harriſon, Robert Porteus Eſqrs

The Council mett &

Adjourned till Tomorrow morning ten aclock

Tueſday November 23d 1714

Preſent

JAMES BLAIR, Phillip Ludwell, John Lewis, William Byrd, Nathaniell Harriſon Robert Porteus Eſqrs

The Council having ſigned the Addreſs to his Majeſty

Ordered

That the Clerk of the General Aſſembly return the ſd Addreſs to the Houſe of Burgeſſes and acquaint them that the Council having ſigned the ſame, have ſent it back to be ſigned by their Houſe.

And then the Council Adjourned till Tomorrow morning 10 aclock.

Wedneſday November 24th 1714

Preſent

THE Governor, *James Blair, Phill Ludwell, Jno Smith, Jno Lewis, Wm Byrd, William Cocke, Nathl Harriſon, Robert Porteus* Eſqrs

A meſſage to the Council by Mr *Holloway* & others that the Burgeſſes have ſigned the Addreſs to his Majeſty, and deſire a Conference with the Council upon ſomething relating to the ſaid Addreſs.

Reſolved

That the Council do Agree to the ſaid Conference immediatly and that the perſons who aſſiſted in fraiming the ſd Addreſs be Appointed Conferrees for the Council

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Council have Agreed to the Conference deſired by their Houſe upon ſome thing relating to the Addreſs to the King, and that they have Appointed three of their members to manage the ſame on behalf of the Council who are now ready in the Conferrence room.

Then

Then the managers went to the Conferrence

And being returned

Mr Commiſſary *Blair* reported that the Burgeſſes had Acquainted them that it was their Opinion that the Addreſs be preſented to the Governor by the Councill and the whole Houſe of Burgeſſes and that as the Addreſs had its firſt Riſe in their houſe, they judge it moſt proper for their Speaker to preſent the ſame; and thereupon the Conferrees deſired Inſtructions from the Council what anſwer to return to the Burgeſſes upon that head.

Whereupon the Council entering into debate thereon

Reſolved

That it be an Inſtruction to the Conferrees of the Council that they acquaint the Burgeſſes that if the Governor ſhall appoint the Council Chamber for recieving the Addreſs to the King the Council Do Agree that it be preſented by the ſpeaker of the Houſe of Burgeſſes, the Council ſtanding up in their places, but if his Honr ſhall be pleaſed to be attended at the Pallace that then the ſaid Addreſs be preſented by the Senior Councillor

Then the Managers went again to the Conference

And being returned

Reported that the Burgeſſes agreed to the manner propoſed by the Council for preſenting the Addreſs to his Majeſty, unto the Governor.

Ordered

That the Clerk of the Generall Aſſembly go to the Houſe of Burgeſſes and Acquaint them that the Council have Appointed three of their members to joine ſuch a number of the Burgeſs as the Houſe ſhall think fitt to wait on the Governor and know when and where he will be attended with the ſaid Addreſs.

The Committee of the Council & Burgeſſes waited on the Governor in the Council Chamber, and by Mr Comiſſary *Blair* deſired to know when and where they ſhall attend his Honr to preſent an Addreſs to his Majeſty on his happy Acceſſion to the Throne

To which the Governor was pleaſed to anſwer that he ſhould be ready to recieve the ſame Tomorrow at ten in the morning, in the Council Chamber

And ya the Council Adjourned till Tomorrow morning 10 aclock

Thurſday November the 25th 1714

preſent

AS YESTERDAY

The Houſe of Burgeſſes attending

The ſpeaker after a ſhort Speach preſented to the Governor the Addreſs of the Council & Burgeſſes, and deſired His Honrs favour to convey it to his Majeſtys hands.

To which the Governor anſwered

Gentlemen

I ſhall always with a great deal of readineſs and Pleaſure convey to his Majeſty all thoſe Teſtimonys you ſhall give of your Loyalty.

Then the Houſe of Burgeſſes withdrew

A meſſage to the Governor by Mr *Holloway* that the Burgeſſes had prepared an Addreſs to his Honr, and deſired to know when and where they ſhall attend with their ſpeaker to preſent the ſame.

To which the Governor anſwered he was ready now to recieve it in the Council Chamber

The Houſe attending

Mr

Mr *Speaker* read and prefented the following Addrefs

*To the Hon*ble Alexander Spotfwood *His Majefties Lievtenant Governor of* Virginia

The Humble Addrefs of the Houfe of Burgeffes

*May it pleafe your Hon*r

We think our Selves . . . . . [See J. of H. of B., pp. 89-90.]

To which the Governor made anfwer

Mr Speaker *and Gentlemen of the Houfe of Burgeffes*

I'm glad to find . . . . . [See J. of H. of B., p. 91.]

And then the Council adjourned till to morrow morning ten aclock

---

*Friday Novem*r the 26th 1714

Prefent

JAMES BLAIR, *Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harrifon, Mann Page* and *Robert Porteus* Efqrs

The Council mett and

Adjourned till Tomorrow morning 10 aclock

---

*Saturday Novem*r 27th 1714

Prefent

THE fame as yefterday Except Colo *Harrifon*

The Council mett and

Adjourned till *Munday* morning 10 aclock

Munday November the 29th 1714

Prefent

THE Governor, *James Blair, Phillip Ludwell, W*m *Byrd, William Cocke, Mann Page, Robert Porteus* Efqrs

A meffage from the Burgeffes to the Council by Mr *Holloway* and others who brought a bill Entituled *An Act to prevent the malicious burning Or deftroying the publick Storehoufes of Tobacco Agents;* and alfo a Bill Entituled *An Act to prevent hoggs rooting within the City of* Williamfburgh *and certain adjacent places,* To which they defire the Councils Concurrence

John Lewis Efqr prefent

A Bill Entituled *An Act to prevent the malicious burning or deftroying the publick Storehoufes of Tobacco Agents* and A Bill Entituled *An Act to prevent hoggs rooting within the City of* Williamfburgh *and certain adjacent places*

Were read the Firft time and

Ordered a fecond Reading

And then the Council Adjourned till Tomorrow morning ten aclock

---

Tuefday November the 30th 1714

Prefent

ROBERT CARTER, *James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Mann Page & Robert Porteus* Efqrs

A Bill Entituled *An Act to prevent the malicious burning or deftroying the publick Storehoufes of Tobacco Agents* and A Bill Entituled *An Act to prevent hoggs rooting within the City of* Williamfburgh *and certain adjacent places*

Were

Were read the ſecond time and
Committed for Amendments

Preſent The Governor

A Petition of Mr *Samuel Boush* a Tobacco Agent for the County of *Norfolk*
Read and referred to the Conſideration of the Houſe of Burgeſſes
And then the Council Adjourned till Tomorrow morning 10 aclock

---

Wedneſday Decemr ye firſt 1714

preſent

AS YESTERDAY
The Council mett and
Adjourned till Tomorrow morning 10 aclock

Thurſday December ye 2d 1714

Preſent

THE Governor, *Robert Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Natht Harriſon, Mann Page & Robert Porteus* Eſqrs

A meſſage from the Burgeſſes to the Council by Mr *Holloway* and others who brought the Following Bills *Viz*t A Bill Entituled *An Act for Continuing An Act Entd* An Act for preventing Frauds in Tobacco payments and for the better improving the Staple of Tobacco. A Bill Entituled *An Act to oblige Owners and Occupiers of Mills to which publick roads ſhall lead to make the Damms of ſuch Mills ten foot wide at the top.* A Bill Entituled *an Act to repeal part of An Act Entituled* An Act giving a Reward for Killing of Wolves, *and for leſſning ſuch reward.* And a Bill Entituled *An Act for dividing the Countys of* Charles City *and* James City *by the River* Chickahominy, to which they deſire the Councils Concurrence.

A Bill Entituled *An Act to prevent the malicious burning or deſtroying the publick Storehouſes of the Tobacco Agents* and

A Bill Entituled *An Act to prevent Hoggs rooting within the City of* Williamſburgh *and certain Adjacent places*

Were ſeverally Read the third time with their Amendments

Reſolved

That the ſaid two Bills do paſs as amended

Ordered

That the Clerk of the General Aſſembly carry the ſaid two Bills to the Houſe of Burgeſſes & acquaint them that the Council have paſſed them with Several Amendments to which they deſire the Concurrence of that houſe

A Bill Entituled *An Act for continuing An Act Entituled* An Act for preventing frauds in Tobacco payments, and for the better improving the ſtaple of Tobacco.

A Bill Entituled *an Act to oblige Owners and Occupiers of Mills to which publick Roads ſhall lead to make the damms of ſuch Mills ten foot wide at the Top.*

A Bill Entituled *An Act to repeal part of An Act Entituled* An Act giving a Reward for killing of Wolves: *And for leſſning ſuch Reward,* and

A Bill Entituled *An Act to divide the Countys of* Charles City *and* James City *by the River* Chickahominy

Were Severally Read the Firſt time and

Ordered a ſecond reading

And then the Council Adjourned till Tomorrow morning 10 aclock

Friday

Friday December the 3d 1714

Preſent

ROBERT CARTER, *James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harriſon, Mann Page & Robert Porteus* Eſqrs

Mr *Emanuel Jones* with Seven other Gentlemen of the Clergy of this Colony attending the Council, The ſaid Mr *Emanuel Jones* ſpoke as follows

May it pleaſe your Honr

We are ſent from the convention of the Clergy to return your Honrs their humble thanks for your conſtant favours to the Clergy of this Dominion, more particularly for the Law to prevent Frauds in Tobacco payments, by which we are ſenſible our Sallarys become much more valuable, We beg the Continuance of the ſame Favours to our Body, And pray God to bleſs with Succeſs all your conſultations

To which Colo *Carter* anſwered

Reverend Gentlemen

I am deſired in the Name of the Council to return you their thanks for your acknowledgments upon this Occaſion. In the part We had in the Tobacco Law We deſigned the general benefite of all Orders of men in the Government, it is no ſmall Satisfaction to us that the Clergy think their Sallarys ſo conſiderably mended by it, and we hope in It's Execution 'twill be found a very beneficial Law to all the Country in Generall

A Bill Entituled *An Act to continue an Act Entituled* An Act for preventing Frauds in Tobacco payments, and for the better improving the Staple of Tobacco

A Bill Entituled *An Act to Oblige Owners and Occupiers of Mills to which publick roads ſhall lead to make the damms of ſuch Mills ten foot wide at the Top.* and

A Bill Entituled *An Act to repeal part of an Act Entituled* An Act Giving a Reward for killing of Wolves; *and for Leſſning ſuch Reward*

Were ſeverally Read the Second time and

Committed for Amendments

Upon a motion made

Ordered

That the inhabitants of *James City* County be heard on *Tueſday* next before the Bill for dividing *Charles City* County be read the ſecond time

And then the Council Adjourn'd till Tomorrow morning ten aclock

---

Saturday December the 4th 1714

Preſent

AS YESTERDAY

The Council mett and

Adjourned till *Munday* morning 10 aclock

Munday December the 6th 1714

A BILL Entituled *An Act to oblige Owners & Occupiers of Mills to which publick roads ſhall Leed to make the damms of ſuch Mills 10 foot wide at the Top,* and

A Bill Entituled *an Act to repeal part of an Act Entituled* An Act giving a Reward for killing of Wolves, *and for leſſning ſuch Reward*

Were Severally read the third time with their Amendments

Reſolved

That the ſaid two Bills do paſs as amended

Ordered

That the Clerk of the General Aſſembly carry the ſaid two Bills to the Burgeſſes and Acquaint them that the Council have paſſed them with ſeveral amendments, to which they deſire the Concurrence of that Houſe

A

A meſſage from the Burgeſſes to the Council by Mr *Buckner* and others who brought a Bill Entituled *an Act to prevent hoggs belonging to the Inhabitants of* York Town *going at Large within the Limits of the ſaid Town* to which they deſire the Councils Concurrence,

And the ſaid Bill was read the Firſt time and

Ordered a ſecond Reading

And then the Council Adjourned till Tomorrow morning 10 aclock

---

Tueſday December the 7th 1714

Preſent

THE Governor, *Robert Carter, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harriſon, Robert Porteus* Eſqrs

A Meſſage from the Burgeſſes to the Council by Mr *Holloway* and others that the Burgeſſes have agreed to the Amendments propoſed by their Honrs to the Bill Entituled *An Act to prevent the malicious burning or deſtroying the publick Storehouſes of Tobacco Agents*, alſo to their Honrs Amendments to the Bill Entituled *An Act to prevent hoggs rooting within the City of* Williamſburgh *and certain adjacent places* and had inſerted them therein.

Ordered

That the Clerk of the General Aſſembly Endorſe on the ſd Bills that they are paſſed as amended

The Amendments to the Bill Entituled *An Act for continuing An Act Entituled* An Act for preventing frauds in Tobacco payments, and for the better improving the Staple of Tobacco, being conſidered, ſome were agreed to, and others diſagreed to,

And then the ſaid Bill with the Amendments Agreed on was read the third time

Reſolved

That the Bill with the Amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes and acquaint them that the Council have paſſed the ſame with ſeveral Amendments to which they deſire the Concurrence of that Houſe.

A Bill Entituled *An Act to prevent Hoggs belonging to the Inhabitants of* York town *going at Large within the Limits of the ſaid Town*

Read the 2d time &

Committed for Amendments

A meſſage to the Council by Mr *Holloway* and others that the Burgeſſes have agreed to the Amendments propoſed by their Honrs to the Bill Entituled *An Act to repeal part of* an Act giving a Reward for killing of Wolves *and for leſſning ſuch Reward:* Alſo to their Honrs Amendments to the Bill Entituled *An Act to Oblige Owners & Occupiers of Mills to which publick roads ſhall Leed to make the damms of ſuch Mills ten foot wide at the Top*, And had inſerted them therein

Ordered

That the Clerk of the General Aſſembly Endorſe on the ſaid Bills that they are paſſed as amended

And then the Council Adjourned till Tomorrow morning 10 aclock

---

Wedneſday December the 8th 1714

Preſent

ROBERT CARTER, *James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, William Cocke, Nathaniel Harriſon, Robert Porteus* Eſqrs

A meſſage to the Council by Mr *Holloway* and others That the Burgeſſes have agreed to ſome of the Amendments propoſed by their Honrs to the Bill Entituled *An Act for continuing An Act Entituled* An Act for preventing frauds in Tobacco payments,

payments, and for the better improving the Staple of Tobacco, and to others have disagreed, and deſire the Council to paſs the Bill without the Amendments diſagreed to by their Houſe.

And then the Council Adjourned till Tomorrow morning 10 aclock.

Thurſday December the 9th 1714

Preſent

AS YESTERDAY

The Amendments diſagreed to by the Burgeſſes to the Bill Entituled *An Act for Continuing An Act Entituled* An Act for preventing Frauds in Tobacco payments and for the better improving the ſtaple of Tobacco, being conſidered

Reſolved

That the Councel do recede from ſuch of their Amendments to the ſaid Bill as are diſagreed unto by the Houſe of Burgeſſes. and

Ordered

That the Clerk of the General Aſſembly return the ſaid Bill to the Burgeſſes and acquaint them therewith.

A Bill Entituled *An Act to prevent Hoggs belonging to the Inhabitants of* York Town *going at large within the Limits of the ſaid Town*

Read the Third time with the Amendments

Reſolved

That the Bill with the Amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſd Bill to the Burgeſſes and acquaint them that the Council have paſſed the Same with Several Amendments to which they deſire the Concurrence of that Houſe

A Bill Entituled *An Act to divide the Countys of* Charles City *and* James City *by the River* Chickahominy

Read the ſecond time and

Committed for amendments to Mr *Commiſſary*, Coll° *Ludwell*, Coll° *Byrd* & Coll° *Harriſon.*

Ordered

That the Clerk of the General Aſſembly carry the following Meſſage from the Governor to the Houſe of Burgeſſes

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

By the Memorial which . . . . . [See J. of H. of B., p. 100.]

And then the Council Adjourned till Tomorrow morning 10 aclock

---

Friday December the 10th 1714

Preſent

AS YESTERDAY

Ordered

That the Clerk of the General Aſſembly carry the Following Meſſage from the Governor to the Houſe of Burgeſſes

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

The Revenue appropriated . . . . . [See J. of H. of B., p. 101.]

And then the Council Adjourned till Tomorrow morning 10 aclock

Saturday

Saturday December the 11th 1714

Preſent

AS YESTERDAY
The Councill mett and
Adjourned till *Munday* Morning 10 aclock

Munday December the 13th 1714

Preſent

ROBERT CARTER, *James Blair, John Smith, John Lewis, William Byrd, William Cocke, Mann Page & Robert Porteus* Eſqrs

A meſſage to the Council by Mr *Holloway* and others that the Burgeſſes have inſerted the Amendments agreed on in the Bill Entituled *An Act for continuing An Act Entituled* An Act for preventing Frauds in Tobacco payments and for the better improving the ſtaple of Tobacco.

Ordered

That the Clerk of the General Aſſembly endorſe on the ſaid Bill that it is paſſed as amended.

And then the Council adjourn'd till Tomorrow morning 10 aclock

---

Tueſday December ye 14th 1714

Preſent

THE Governor, and the ſame Council as Yeſterday except Colo *Ludwell*

Ordered

That the Clerk of the General Aſſembly carry ye following Meſſage from the Governor to the Houſe of Burgeſſes

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

You know that . . . . . [See J. of H. of B., p. 103.]

A Bill Entituled *An Act to divide the Countys of* Charles City *and* James City *by the River* Chickahominy

Read the third time with the Amendments

Reſolved

That the Bill with the amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Houſe of Burgeſſes and acquaint them that the Council have paſſed the ſame with ſeveral Amendments to which they deſire the Concurrence of that Houſe

A meſſage from the Burgeſſes to the Council by Mr *Bouſh* and others who brought A Bill Entituled *An Act for altering the day for* Princeſs Anne *County Court and the day for* Eſſex *County Court* to which they deſire the Councils Concurrence

And the ſaid Bill was read the firſt time and

Ordered a Second Reading

A meſſage to the Council by Mr *Buckner* and others who brought the Bill Entituled *An Act to prevent Hoggs belonging to the Inhabitants of* York town *going at large within the Limits of the ſaid Town*, and Acquainted the Council that the Burgeſſes had agreed to ſome of their Honrs Amendments to the ſaid Bill and to others had diſagreed, and deſired the Council to paſs the ſaid Bill without the Amendments diſagreed to by their Houſe

Reſolved

That the Council do not inſiſt on ſuch of their Amendments to the ſaid Bill as are diſagreed to by the Houſe of Burgeſſes, and

Ordered

That the Clerk of the General Aſſembly return the ſaid Bill to the Burgeſſes and Acquaint them therewith

And then the Council Adjourned till Tomorrow morning 10 aclock

Wedneſday

Wednesday December the 15th 1714

Present

AS YESTERDAY

A meſſage from the Burgeſſes to the Council by Mr *Goodrich* and others who brought a Bill Entituled *an Act to divide thoſe parts of the pariſhes of* Briſtol Weſtover & Weyanoak *which ly on the S° ſide* James *and* Appomatox *Rivers from thoſe parts of the ſd Pariſhes which ly on the North ſide the ſaid Rivers, and to make* Prince George *County two entire pariſhes* to which they deſire the Councils Concurrence

And the ſaid Bill was read the firſt time and

Ordered a ſecond reading

A meſſage to the Council by Mr *Holloway* and others that the Burgeſſes had paſſed a Bill Entituled *An Act to exempt certain* German *Proteſtants from the payment of Levys for Seven Years and for Erecting the pariſh of* St George, alſo a Bill Entituled *An Act to ſupply the Defects in* An Act for laying a duty on Liquors & Slaves, To which they deſire the Councils Concurrence. Alſo that upon conſideration of the Amendments to the Bill for dividing the Countys of *Charles City* and *James City* by the River *Chickahominy* the Burgeſſes had diſagreed thereunto, And deſired the Council to paſs the ſaid Bill without thoſe amendments to which they have diſagreed,

Then the ſaid two Bills Were Read the firſt time and

Ordered a ſecond Reading

A Meſſage from the Houſe of Burgeſſes to the Council by Mr *Holloway* and others who brought a Bill Entituled *An Act for relief of perſons who by reaſon of the drought of laſt Summer have made ſmall quantitys of Corn & Tobacco and who for want of Opportunity of Shipping have great Quantitys of Old Tobacco now by them, and for puniſhing perſons who ſhall Carry any hogſhead of Tobacco not ſtamped, out of this Colony.* to which they deſire the Councils Concurrence

Upon conſideration of the Amendments to the Bill to divide the Countys of *Charles City* and *James City* by the River *Chickahominy*

Reſolved

That the Council do inſiſt upon their Amendments to the ſaid Bill.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and acquaint them that the Council cannot recede from their Amendments to the ſaid Bill, and deſire the Burgeſſes to paſs the Bill as amended.

A Bill Entituled *An Act for relief of perſons who by reaſon of the drought of laſt Summer have made ſmall Quantitys of Corn & tobacco, and who for want of Opportunity of Shipping have great Quantitys of old Tobacco now by them, and for puniſhing perſons who ſhall carry any hogſhead of Tobacco not ſtamped out of this Colony*

Read the firſt time &

Ordered a ſecond Reading

A Meſſage to the Governor by Mr *Holloway* and others that the Burgeſſes have taken into Conſideration His Honr° meſſage of the 14th *inſtant* and are preparing a ſuitable anſwer thereto

A meſſage to the Governor by Mr *Merriweather* and others who brought an Addreſs of the Houſe of Burgeſſes in anſwer to the Governors meſſage of the 10th *inſtant*, and the ſame was read and is as follows

To the Hon^bl^e Alexander Spotſwood *His Majeſtys Liev^t Governor of* Virginia

May it pleaſe Your Hon^r

We his Majeſtys moſt Loyal . . . . . [See J. of H. of B., p. 105.]

And then the Council Adjourned till Tomorrow morning 10 aclock

Thurſday

Thurfday December the 16th 1714

Prefent

AS YESTERDAY

A Bill Entituled *An Act to exempt certain* German *Proteftants from the payment of Levys for feven Years, and for Erecting the parifh of* St George

Read the fecond time &

Committed for Amendments

A meffage from the Burgeffes to the Council by Mr *John Robinfon* and others who brought a Bill for Continuing An Act Entituled *An Act for Security and defence of the Country in times of danger*; alfo a Bill for Continuing An Act Entituled *An Act for prevention of abufes in Tobacco fhipp'd on freight* to wch they defire the Councils Concurrence

And the faid Bills were read the firft time and

Ordered a fecond Reading

Ordered

That the Clerk of the General Affembly carry the following meffage from the Council to the Houfe of Burgeffes

Mr Speaker *and Gentlemen of the Houfe of Burgeffes*

Upon conſideration . . . . . [See J. of H. of B., p. 106.]

A meffage from the Burgeffes to the Council by Mr *Holloway* and others that upon Conſideration of their Honrs meffage they have appointed Six of their Members as a Committee to meett a Committee of the Council on the Subject matter of the faid Meſſage

Refolved

That a Committee be appointed to meet the Committee of the Burgeffes and a Committee was appointed accordingly

Ordered

That the Clerk of the General Affembly go to the Houfe of Burgeffes and acquaint them That the Council have appointed three of their Members to meet the perſons appointed by that Houſe for drawing up an Addreſs to his Majeſty upon the Subject matter of their meſſage this day, who will be ready at three of the Clock in the Conference room.

A Meſſage from the Burgeffes to the Governor by Mr *Holloway* and others who brought the following Addreſs

To the Honble Alexander Spotſwood *His Majeſtys Lievtenant Governor of* Virginia

The Humble Addreſs of the Houſe of Burgeſſes

May it pleaſe your Honour

The many proofs you have . . . . . [See J. of H. of B., p. 107.]

To which the Governor was pleaſed to Anſwer

This is ſuch an Addreſs that I ſhall ſend the Houſe an Anſwer to it in writing

A Bill Entituled *An Act to divide thoſe parts of the pariſhes of* Briſtol Weſtover & Weyanoak *which ly on the South ſide of* James *and* Appomattox *Rivers from thoſe parts of the ſaid Pariſhes which ly on the North ſide the ſaid Rivers, and to make* Prince George *County two Entire Pariſhes*

A Bill Entituled *An Act for relief of perſons who by reaſon of the drought of laſt ſummer have made ſmall quantitys of Corn and Tobacco, and who for want of Opportunity of Shipping have great Quantitys of old tobacco now by them, and for puniſhing perſons who ſhall Carry any hogſhead of Tobacco not Stamped out of this Colony*, and

A Bill Entituled *An Act for altering the day for* Princeſs Anne *County Court and the day for* Eſſex *County Court*

Were ſeverally Read the ſecond time, and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning 10 aclock.

Friday

Friday December the 17th 1714

Prefent

THE Governor, *Robert Carter, James Blair, Phillip Ludwell, John Smith, John Lewis, William Byrd, Mann Page, Robert Porteus* Eſqrs

Ordered

That the Clerk of the General Aſſembly carry the following written meſſage from the Governor to the Houſe of Burgeſſes in anſwer to their Addreſs Yesterday

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

The Addreſs you ſent me . . . . . [See J. of H. of B., p. 108.]

A meſſage from the Burgeſſes to the Council by Mr *Chriſtopher Robinſon* and others who brought a Bill Entituled *An Act to prevent hoggs going at large in the County of* Middleſex, to which they deſire the Councils Concurrence.

And the ſaid Bill was read the firſt time and

Ordered a ſecond reading

A Bill Entituled *An Act to exempt certain* German *Proteſtants from the payment of Levys for ſeven Years, and for erecting the Pariſh of* St George, and

A bill Entituled *An Act for altering the day for* Princeſs Anne *County Court and the day for* Eſſex *County Court*

Were Severally Read with their Amendments

Reſolved

That the ſaid two Bills do paſs as amended

Ordered

That the Clerk of the General Aſſembly carry the ſaid two Bills to the Burgeſſes and Acquaint them that the Council have paſſed them with Several Amendments to which they deſire the Concurrence of that Houſe

The Committee appointed by the Council Reported that they had together with the Members appointed by the Burgeſſes drawn up an Addreſs to His Majeſty upon the Subject matter of the Councils meſſage of Yeſterday: And alſo another Addreſs to the Governor to Soliicit his Honrs favour in getting the ſame preſented to His Majeſty:

And the ſaid two Addreſſes being Read and Agreed to were ſigned by the Council and are as follows

To the Kings moſt Excellent Majeſty

The humble Addreſs of the Council and Burgeſſes of Virginia

We your Majeſtys moſt Loyal . . . . . [See J. of H. of B., p. 109.]

To the Honble Alexander Spotſwood *His Majeſtys Lievtenant Governor of* Virginia

The humble Addreſs of the Council and Burgeſſes of the preſent General Aſſembly

May it pleaſe your Honour

The Experience we have . . . . . [See J. of H. of B., pp. 109-110.]

Ordered

That the Clerk of the General Aſſembly carry the ſaid two Addreſſes to the Houſe of Burgeſſes and acquaint them that the Council have Signed them, and have ſent them to be Signed by their Houſe alſo.

Ordered

That the perſons who prepared the Addreſſes wait on the Governor to know when and where he will be attended to recieve the ſaid Addreſſes

And then the Council Adjourned till Tomorrow morning 10 aclock

Saturday

Saturday December ye 18th 1714

Prefent

ROBERT CARTER, *James Blair, Philip Ludwell, John Smith, John Lewis, William Byrd & Mann Page* Eſqrs

The Committee appointed Yeſterday to wait on the Governor Reported that they had Accordingly waited on his Honr at the Palace to know when and where he would be attended with the Addreſſes prepared by the Council and Burgeſſes to the King and himſelf, and that the Governor ſaid, I underſtand this Addreſs has its Riſe from the Council, and if there be any honour in preſenting it, tis fitt they ſhould have it, And therefore I appoint this place between ten and Eleven tomorrow forenoon.

Accordingly the Council with the Burgeſſes went to attend the Governor and being Returned *Robert Carter* Eſqr Reported that they preſented to the Governor the Addreſs to the King in Relation to the Quitt Rents and alſo the Addreſs to the Governor himſelf and that his Honr Returned the following anſwer

I asked of you *Gentlemen of the Houſe of Burgeſſes* ſome ſupply towards the Support of the Government of this your Country, and ſince you *Gentlemen of the Council* have Concurred with the Burgeſſes in giving nothing but this Addreſs I take it as a final anſwer to all my meſſages on that ſubject—

I ſhall only make this Remark, That notwithſtanding the many Extraordinary Events during my adminiſtration all the Levys you have laid on the people Scarce Equal the Charge of your ſitting, Tis from your Sovereign that you are to Expect an anſwer to this Addreſs, and I ſhall according to your deſire Tranſmitt.

A meſſage to the Council by Mr *Holloway* that the Burgeſſes adhere to the Bill for dividing the Countys of *Charles City* and *James City* by the River *Chickahominy* without any amendments, and deſire the Council to paſs the ſame accordingly

Reſolved

That the Council do adhere to their Amendments to the ſaid Bill

A meſſage to the Council by Mr *Holloway* and others who brought a Bill Entituled *An Act for the better Regulation of the Indian Trade*, to which they deſire the Councils Concurrence

And the ſaid Bill was read the firſt time and

Ordered a ſecond Reading

A Bill Entituled *An Act to ſupply the defects in an Act Entitulꝺ* An Act for Laying a duty on Liquors & Slaves

Read the ſecond time and

Committed for Amendments

And then the Council Adjourned till *Munday* morning 10 aclock

---

Munday December the 20th 1714

Prefent

JAMES BLAIR, *Philip Ludwell, John Lewis, William Cocke, Mann Page & Robert Porteus* Eſqrs

A Bill Entituled *An Act to continue An Act Entituled* An Act for prevention of Abuſes in Tobacco ſhipp'd on Freight

Read the ſecond time and

Ordered a third Reading

A Bill to prevent hoggs going at large within the County of *Middleſex*

Read the ſecond time and

Ordered a third Reading

A bill Entituled *An Act to divide thoſe parts of the pariſhes of* Briſtol, Weſtover *and* Weyanoak *which ly on the South ſide of* James & Appamattox *Rivers from thoſe parts of the ſꝺ pariſhes which ly on the North ſide the ſaid Rivers and to make* Prince George *County two entire pariſhes*

Read

Read the third time with the Amendments
Refolved
That the Bill with the Amendments do pafs
Ordered
That the Clerk of the General Affembly carry the faid Bill to the Burgeffes and acquaint them that the Council have paffed the fame with fome Amendments to which they defire the Concurrence of that Houfe

A meffage from the Burgeffes to the Council by Mr *Holloway* & others who brought a Bill Entituled *An Act for regulating & fettling the Current Rates of Gold Coin, and of* Britifh *mill'd Silver Coin in this Dominion* to which they defire the Councils Concurrence.

The Council Adjourned during pleafure

A BILL Entituled *An Act for continuing An Act Entituled* An Act for prevention of abufes in Tobacco fhipp'd on freight and

A Bill to prevent Hoggs going at large within the County of *Middlefex* Were Read the third time

Refolved
That the fd two Bills do pafs without Amendment.
Ordered
That the Clerk of the General Affembly carry ye faid two Bills to the Burgeffes and acquaint them that the Council have paffed them without any Amendment

A Meffage to the Council by Mr *Holloway* & others who brought a Bill Entituled *An Act for the further Continuing* An Act for laying a duty on Liquors & Slaves and two other Acts Relating to that Act to which they defire the Councils Concurrence

And the faid Bill was Read the firft time and
Ordered a fecond Reading

A bill Entituled *An Act for regulating & fettling ye Current Rates of Gold Coin, and of* Britifh *mill'd Silver Coin in this Dominion*
Read the firft time &
Ordered a fecond Reading
And then the Council Adjourned till Tomorrow morning 10 aclock

---

Tuefday December ye 21ft 1714

Prefent

AS YESTERDAY

A Bill Entituled *An Act for relief of perfons who by reafon of the drought of laft Summer have made fmall Quantitys of Corn & Tobacco, and who for want of Opportunity of fhipping have great Quantitys of old Tobacco now by them, and for punifhing perfons who fhall Carry any hogfhead of Tobacco not Stamped, out of this Colony*
Read the third time with the Amendments
Refolved
That the Bill with the Amendments do pafs
Ordered
That the Clerk of the General Affembly carry the faid Bill to the Burgeffes & Acquaint them that the Council have paffed the fame with Several Amendments, to which they defire the Concurrence of that Houfe.

A meffage from the Burgeffes that they have Agreed to the Amendments to the faid Bill and had inferted them therein

A Bill for Continuing An Act Entituled *An Act for Security and defence of the Country in times of Danger* and

A

A Bill for the further Continuing *An Act for laying a duty on Liquors & Slaves* and two other Acts relating to that Act

Were Read the second time and

Ordered a third Reading

A Meſſage from the Burgeſſes by Mr *Buckner* and others who brought the book of Claims paſſed their Houſe to which they deſire the Councils Concurrence.

A Bill for regulating & Settling the Current Rates of Gold Coin and of *Britiſh* mill'd Silver Coin in this Dominion, and

A Bill for the better regulation of the Indian Trade

Were Read the ſecond time and

Committed for Amendments

And then the Council Adjourned till Tomorrow morning 10 aclock

---

Wedneſday December 22d 1714

Preſent

AS YESTERDAY

A Bill for continuing An Act Entituled *An Act for Security and defence of the Country in times of danger*, and

A Bill for the Further Continuing *An Act for Laying a duty on Liquors & Slaves* and two other acts relating to that Act

Were read the third time

Reſolved

That the ſaid two Bills do paſs without any Amendmt

Ordered

That the Clerk of the General Aſſembly carry the ſaid two Bills to the Burgeſſes and acquaint them that the Councill have paſſed them without any Amendment.

A Bill for Regulating & Settling the Current Rates of Gold Coin & of *Britiſh* mill'd Silver Coin in this Dominion

Read the third time with the Amendments

Reſolved

That the Bill with the Amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſd Bill to the Burgeſſes and acquaint them that the Council have paſſed the ſame with ſome Amendmts to which they deſire the Concurrence of that Houſe.

A meſſage to the Council by Mr *Goodrich* and others That the Houſe had agreed to part of their Honrs Amendments to the Bill for dividing thoſe parts of the Pariſhes of *Briſtol Weſtover* and *Weyanoak* which ly on the South ſide of *James* & *Appomattux* Rivers from thoſe parts of the ſaid Pariſhes which Ly on the North Side the ſaid Rivers, and to make *Prince George* County two Entire pariſhes; and to others had diſagreed, and had propoſed ſome Amendments of their Own to which they deſire the Councils Concurrence

Upon conſideration of the ſaid meſſage

Reſolved

That the Council do recede from ſome part of their Amendments to the ſaid Bills, and to others they do inſiſt, and

Ordered

That the Clerk carry the ſaid Bill to the Burgeſſes and acquaint them therewith

A meſſage to the Council by Mr *Goodrich* and others that the Burgeſſes do adhere to the Amendments by them propoſed to the Amendments of the Council to the ſaid Bill

Reſolved

That the Council do adhere to their Amendments to the ſaid Bill

A

A meſſage to the Council by Mr *Buckner* and others who brought the Treaſurers Accompts paſſed their Houſe, to which they deſire the Councils Concurrence.

The Council having peruſed, paſſed the Treaſurers Accompts, and

The Governor was pleaſed to Aſſent thereto

And then the Council Adjourned till Tomorrow morning 10 aclock

---

Thurſday December ye 23d 1714

Preſent

THE Governor, The ſame Council as Yeſterday

A Bill for the better regulation of the Indian Trade

Read the third time with the Amendments

Reſolved

That the Bill with the Amendments do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes and acquaint them that the Council have paſſed the ſame with Several Amendments, to which they deſire the Concurrence of that Houſe

Ordered

That the Clerk of the General Aſſembly carry the following meſſage from the Governor to the Houſe of Burgeſſes

Mr Speaker & *Gentlemen of the Houſe of Burgeſſes*

Your Addreſs in anſwer . . . . . [See J. of H. of B., p. 114.]

A meſſage to the Council by Mr *Buckner* and others who brought a Reſolve of the Burgeſſes for payment of the Officers of this Aſſembly, to which they deſire the Councils concurrence.

The ſaid Reſolve being read & conſidered, An Addition was made thereto by the Council

Ordered

That the Clerk of the General Aſſembly carry the ſaid Reſolve to the Burgeſſes and acquaint them that the Council have made an Addition thereto, to which they deſire the Concurrence of that Houſe.

The book of publick Claims being read & Conſidered

Ordered

That the Clerk of the General Aſſembly carry the ſame to the Houſe of Burgeſſes together with the Following meſſage

Mr Speaker *and Gentlemen of the Houſe of Burgeſſes*

Upon conſideration . . . . . [See J. of H. of B., p. 114.]

A meſſage to the Council by Mr *John Robinſon* and others That the Burgeſſes cannot agree to the Addition propoſed by their Honrs to be made to the Reſolve of their Houſe concerning the Allowances to the Officers of the Aſſembly.

Then the Council agreed to the ſaid Reſolve, which is as follows

Reſolved and accordingly Ordered

That the money allowances made to the Officers laſt Seſſion and this preſent Seſſion of Aſſembly be paid the Several perſons to whom the ſame is due out of the money ariſing by the duty on Liquors & Slaves, next after the money appropriated for the Service & Relief of *North Carolina*. And that for ſo much of ye Allowances as ſhall remain unpaid by the Firſt day of *February* next, there ſhall be allowed to the perſons claiming the ſame after ye rate of five ℔ *Cent* ℔ *Annum* upon ſuch money unpaid as aforeſd untill ye ſame be paid, provided ſuch allowance of intereſt do not Exceed Six Months

A meſſage to the Council by Mr *John Robinſon* and others who brought the book of Claims amended according to their Honrs meſſage relating thereto.

Then

Then the Council paſſed the Book of Claims and the Governor was pleaſed to ſign his Aſſent thereto.

A meſſage to the Council by Mr *Holloway* and others that the Burgeſſes have agreed to part of the Amendments propoſed by their Honours to the Bill for the better regulation of the Indian Trade & to others have diſagreed and deſire the Council to paſs the ſaid Bill without thoſe amendments to which the Houſe have diſagreed

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Burgeſſes and Acquaint them that the Council do inſiſt on their amendments to the ſaid Bill.

A meſſage to the Council by Mr *Holloway* and others That the Burgeſſes adhere to their diſagreement to the Councils Amendments to the Bill for the better Regulation of the Indian Trade.

Then the Council having conſidered the ſd Amendments

Reſolved

That the ſame be receeded from: and

That the Bill paſs according to the amendments agreed unto by the Burgeſſes

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill to the Houſe of Burgeſſes and Acquaint them that the Council have paſſed the ſame According to the Amendments agreed unto by their Houſe

And then the Council Adjourned till Tomorrow morning 10 aclock

---

Friday December the 24th 1714

Preſent

JAMES BLAIR, John Lewis, William Cocke, Mann Page & Robert Porteus Eſqrs

A meſſage from the Burgeſſes by Mr *Holloway* & others who brought a Bill Entituled *An Act for Erecting a Magazine*, and alſo a Reſolve of their Houſe relating to the money Given for the Relief of *Carolina*, to which they deſire the Councils Concurrence

The ſaid Reſolve being Read, was agreed unto by the Council and is as follows

Reſolved

That all the money heretofore given for the Service of *North Carolina*, not made uſe of, be paid to the Honble the Lievtenant Governor According to his propoſal in his Meſſage to this Houſe of the 14th & 17th *inſtant*

Then the Governor was pleaſed to ſign his Aſſent to the ſd Reſolve

A Bill for erecting a Magazine Read the firſt time and

Ordered a ſecond Reading

A Bill for Erecting a Magazine Read the Second time and

Ordered a third Reading

A Bill for Erecting a Magazine Read the third time

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the General Aſſembly carry the ſaid Bill, together with the above Reſolve to the Houſe of Burgeſſes and Acquaint them that the Council have paſſed the ſame without any Amendment

A meſſage to the Council by Mr *Holloway* and others who brought a Bill Entituled *An Act for raiſing a publick Levy* to which they deſire the Councils Concurrence.

And the ſaid Bill was Read the firſt time and

Ordered a ſecond Reading

A Bill for raiſing a publick Levy Read the ſecond time and

Ordered a third Reading

A Bill for Raiſing a publick Levy read the third time

Reſolved

That the Bill do paſs

Ordered

That the Clerk of the General Aſſembly return the ſaid Bill to the Burgeſſes and acquaint them that the Council have paſſed the ſame without Amendment

A meſſage to the Council by Mr *Holloway* and others who brought the inroll'd Bills paſſed this Seſſion for the Councils peruſal.

And the ſaid Bills being Examined

Ordered

That the Clerk of the General Aſſembly return the Same to the Burgeſſes and Acquaint them that the Council are Satisfyed they are truely inrolled.

A Meſſage to the Council by Mr *John Robinſon* and others who brought the book of Proportions of the publick Levy to which they deſire their Honours Concurrence

And the ſaid Book being Read was agreed unto by the Council, and then the Governor ſigned his Aſſent thereto.

Ordered

That the Clerk of the General Aſſembly Return the ſame to the Burgeſſes.

Ordered

That the Clerk of the General Aſſembly go to the Houſe of Burgeſſes and Acquaint them that the Governor comands their immediate Attendance on him in the Council Chamber, and that they bring with them ſuch Bills as are ready for his Aſſent

The Houſe of Burgeſſes attending the Governor

His Honour was pleaſed to ſign his Aſſent to the Following Bills

[The ſeventeen enumerated Acts are given in the J. of H. of B., pp. 116-117. The ſixth Act (or firſt on p. 117) has the following title in the Journal of the Council:]

An Act to Continue An Act Entituled An Act for preventing frauds in Tobacco payments and for the better improving the Staple of Tobacco. *and for ſupplying & remedying certain defects & inconveniencys in the ſaid Act*

Upon preſenting the *Act to continue* an Act for ſecurity & defence of the Country in times of Danger, The Govr ſaid "I have not power to paſs Laws of this nature that have been already ſo often enacted

Then the Governor was pleaſed to ſay

Gentlemen of this General Aſſembly

I'm very ſenſible how deſirous you are to be at Your homes in this Seaſon of the Year: And as I am willing to Comply with ſo good an Aſſembly in every thing that I reaſonably may I prorogue you to the 21ſt of *April*, at which time you are to meet me here again.

Copy Examd per

Wil Robertſon Cl Gen Aſſ[y]

THE COLONIAL PRESS
RICHMOND, VIRGINIA
EVERETT WADDEY CO.

4040